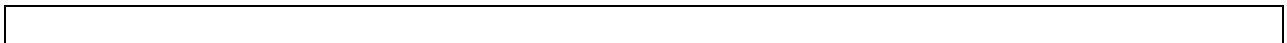




**North Carolina Downtown Development Association  
Technical Assistance Team**

**Granite Quarry, North Carolina**

**Final Report  
January 7, 2013**



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## Introduction

In the fall of 2012 the Town of Granite Quarry contracted with the North Carolina Downtown Development Association to provide a Technical Assistance Team to study Granite Quarry's central business district. The scope of this project centered around ways to strengthen the central business district through developing an appropriate organizational structure to manage the central business district, promotion and marketing, design improvements, and business recruitment and retention. The team, consisting of Ted Alexander and Diane Young, spent Thursday, December 6, and Friday, December 7 in Granite Quarry. The two-day period began with a thorough tour of Granite Quarry, both driving and walking. The team then met with a diverse group of stakeholders over the course of nine meetings. This stakeholder group included elected officials, town staff, property owners, developers, business owners, and Granite Quarry residents. At the conclusion of the two days the team made a brief public presentation of initial findings and recommendations. This report conveys the team's analysis and final recommendations, expanding on the public presentation that was delivered on December 7.

## Technical Assistance Team Members

**Ted Alexander** is the director of the western regional office for Preservation North Carolina and former two-term Mayor of Shelby, North Carolina. A native of Morganton, Mr. Alexander has a Bachelor of Arts degree in Political Science from UNC Charlotte and a Master's degree in Historic Preservation Planning from Cornell University. With over thirty years of experience in historic preservation and downtown revitalization Mr. Alexander is the past president of the North Carolina Downtown Development Association as well as the past president of the Historic Shelby Association. Mr. Alexander served on the board of directors for Preservation North Carolina and was the energy coordinator for Shelby's Rebuild America program. He has worked with downtowns throughout North Carolina, Virginia, Michigan, Oklahoma, Indiana and Iowa, as well as the Japanese Downtown Redevelopment Center for six cities.

**Diane Young** is the Executive Director of the Concord Downtown Development Corporation in Concord, North Carolina. Ms. Young received her Bachelor of Science degree from Eastern Michigan University, with a major in Construction Technology and a minor in Historic Preservation. She is the former manager of the Tuscumbia Main Street Program in Tuscumbia, Alabama, as well as the former Executive Director of the Georgetown Downtown Development Association in Georgetown, South Carolina. Ms. Young is also the President of Downtown Graphics Network, Inc., a Salisbury, North Carolina company she owns with her husband, Michael. Together they have been providing vertical pole banners and outdoor display decorations throughout the United States and Canada for twenty-four years. Ms. Young is Vice President of LMY, Inc., a real estate development company that owns and manages multiple properties in Salisbury, North Carolina. As a licensed general contractor she has renovated numerous commercial properties in multiple communities. Ms. Young presently serves on the North Carolina Downtown Development Association Board of Directors, and has been a member of numerous downtown development resource teams in North Carolina and South Carolina communities.

## **North Carolina Downtown Development Association**

The North Carolina Downtown Development Association (NCDDA) is a 501(c)(3) nonprofit organization that works throughout the state of North Carolina to strengthen downtowns and central business districts as cultural and economic centers of their communities. NCDDA members include downtown development managers and coordinators, economic developers, town planners, town managers, architects, landscape architects, and other professionals related to the development of North Carolina's central business districts. The NCDDA offers multiple resources to both members and non members, including the opportunity to have a Technical Assistance Team work with their community to conduct in-depth analysis of one or a number of issues related to its central business district and make recommendations that take into account the unique characteristics, opportunities, and assets of that individual community.

## Main Street Four-Point Approach®

The NCDDA subscribes to the Main Street Four-Point Approach®, a proven method of revitalizing, maintaining, and managing downtowns and central business districts. The Main Street method was developed by the National Trust for Historic Preservation in the late 1970's as a response to the quickly declining economic conditions in downtowns across the nation. Over the last thirty years thousands of communities across the country have successfully utilized the four-point approach to energize their central business districts creating a positive economic and social impact within their communities. This approach is successful because it is not a "one size fits all" method but rather works with the distinct assets and liabilities of each community. It also mobilizes the local community to build success from the ground up as opposed to utilizing outside resources continuously to bring about results.

The Main Street Four-Point Approach® believes in addressing organization, promotion, design, and economic restructuring simultaneously to produce positive momentum in a revitalization effort, and then continues to apply these four points to maintain and manage the revitalized area. **Organization** defines the group, association, or government entity responsible for the day-to-day implementation of the four-point approach. The character and makeup of this organization varies from community to community, as do the funding sources utilized by the organization to carry out day to day operations, events, marketing, design improvements, and business recruitment efforts. **Promotion** covers a variety of activities, including special events such as festivals and concerts and retail-specific events, as well as the promotion of the revitalization program itself. **Design** speaks to anything and everything that is visible to the naked eye, and takes in both privately-owned assets such as buildings and parking lots, plus publicly-owned spaces including sidewalks, landscaping, signage, and other components that make up an entire streetscape. **Economic Restructuring** addresses business retention and business recruitment.

Communities who see long-term results from the four-point approach have come to understand that the application of this revitalization method is an on-going process, rather than a short-term effort.

## The Eight Principles of Main Street

In addition to the **Main Street Four-Point Approach®** the National Trust for Historic Preservation developed the Eight Principles of Main Street. The term “Main Street” is used in general terms to refer to a community’s central business district. The Eight Principles of Main Street are listed here:

- **Comprehensive:** No single focus — lavish public improvements, name-brand business recruitment, or endless promotional events — can revitalize Main Street. For successful, sustainable, long-term revitalization, a comprehensive approach, including activity in each of Main Street's Four Points, is essential.
- **Incremental:** Baby steps come before walking. Successful revitalization programs begin with basic, simple activities that demonstrate that "new things are happening " in the commercial district. As public confidence in the Main Street district grows and participants' understanding of the revitalization process becomes more sophisticated, Main Street is able to tackle increasingly complex problems and more ambitious projects. This incremental change leads to much longer-lasting and dramatic positive change in the Main Street area.
- **Self-help:** No one else will save your Main Street. Local leaders must have the will and desire to mobilize local resources and talent. That means convincing residents and business owners of the rewards they'll reap by investing time and money in Main Street — the heart of their community. Only local leadership can produce long-term success by fostering and demonstrating community involvement and commitment to the revitalization effort.
- **Partnerships:** Both the public and private sectors have a vital interest in the district and must work together to achieve common goals of Main Street's revitalization. Each sector has a role to play and each must understand the other's strengths and limitations in order to forge an effective partnership.
- **Identifying and capitalizing on existing assets:** Business districts must capitalize on the assets that make them unique. Every district has unique qualities like distinctive buildings and human scale that give people a sense of belonging. These local assets must serve as the foundation for all aspects of the revitalization program.
- **Quality:** Emphasize quality in every aspect of the revitalization program. This applies to all elements of the process — from storefront designs to promotional campaigns to educational

programs. Shoestring budgets and "cut and paste" efforts reinforce a negative image of the commercial district. Instead, concentrate on quality projects over quantity.

- **Change:** Skeptics turn into believers and attitudes on Main Street will turn around. At first, almost no one believes Main Street can really turn around. Changes in attitude and practice are slow but definite — public support for change will build as the Main Street program grows and consistently meets its goals. Change also means engaging in better business practices, altering ways of thinking, and improving the physical appearance of the commercial district. A carefully planned Main Street program will help shift public perceptions and practices to support and sustain the revitalization process.
- **Implementation:** To succeed, Main Street must show visible results that can only come from completing projects. Frequent, visible changes are a reminder that the revitalization effort is under way and succeeding. Small projects at the beginning of the program pave the way for larger ones as the revitalization effort matures, and that constant revitalization activity creates confidence in the Main Street program and ever-greater levels of participation.

The balance of this report will speak directly to the team's analysis of Granite Quarry's central business district, and offer recommendations of ways to implement the four-point approach to bring about revitalization and create a positive economic impact.

## Organization

When we speak of Organization as it relates to revitalizing a central business district we are speaking of the actual group, association, or government entity that is responsible for arranging and carrying out the plans, strategies, and actions of Main Street's four point approach and eight principles. The Organization piece of the Main Street approach also addresses the funding of this organization and its activities. Public-private partnerships will play a strong role in developing the organization and securing funding from a variety of sources. Granite Quarry is unique from traditional central business districts in that it is relatively small in terms of the number of buildings and businesses, and visually does not have a tightly defined boundary. The town may find that a model similar to that used by Marion, North Carolina might be effective. Marion has been successful in folding outlying



businesses into their overall downtown revitalization activities and serving all commercial development within the city.

## **Organizational Structure**

By establishing the Revitalization Team, the Town of Granite Quarry has taken an important first step in forming an organizational structure to carry out the recommendations of this report. This group is made up of a diverse group of individuals, including residents and property owners. The Revitalization Team will initially be responsible for implementing some of the recommendations outlined in this report. It would be beneficial to also develop a Granite Quarry Business Association that would be open to all retail establishments, restaurants, professionals, and other interested entities. By meeting as a group the association could provide valuable input regarding the planning of events as well as proposed physical improvements for the central business district. Members would also benefit from the sharing of ideas and business strategies. In addition, the formation of a Community Appearance Commission would also be beneficial. This commission would be appointed by the Board of Aldermen and could play an important role in working through many of the recommendations found in this report related to Design. The Community Appearance Commission may also be responsible for publicly recognizing private individuals or businesses who undertake design improvements as well as those who actively strive to maintain their property to a high standard.

Over time the Town of Granite Quarry may consider establishing a Redevelopment Commission. Authorized by North Carolina state statutes, a Redevelopment Commission is made up of members appointed by the Board of Aldermen. The local planning board would work to designate the central business district as a redevelopment area, per state statutes. The newly formed Redevelopment Commission would then create a redevelopment plan that must be reviewed and approved by the Board of Aldermen. Once the redevelopment plan is approved the Redevelopment Commission would have the ability to carry out a number of activities as defined by state statutes, including but not limited to acquiring, selling, and demolishing property, constructing site improvements, carrying out programs of repair and rehabilitation, and developing programs offering financial assistance for

rehabilitation, repair, construction, and acquisition. Enabling legislation for a Redevelopment Commission is located in the Appendix of this report.

## **Options for Funding the Organizational Structure**

Similar to the formation of the Revitalization Team, the Town of Granite Quarry was also proactive and forward-thinking with the establishment of the Visionary Fund. The need for additional funding will increase and decrease depending on the activities undertaken by a committee, board, or commission at any point in time. It is recommended that the Revitalization Team and subsequent boards or commission responsible for the day-to-day revitalization activities make plans to tap into a variety of funding sources. To some degree the type of activities to be funded will dictate the potential sources of revenue. The Rowan County Tourism Development Authority could be a potential funding source for certain promotions, events, and marketing materials as well as small public improvements. The fees presently charged for use of the Legion Building could be increased to generate additional dollars. The city of Kinston, North Carolina has successfully raised dollars through a utility round-up program, where utility customers have the option of rounding their payment up to the next dollar each month, with these additional funds earmarked for a special purpose. This would be a little more difficult in Granite Quarry as the water and sewer utilities are owned and managed by Salisbury Rowan Utilities Department, but the potential benefit of generating funds would make it worthwhile to explore this possibility.

A long-term goal would be to form a community appearance trust fund. This could be managed by a new private 501(c)(3) organization, an existing 501(c)(3) organization, or through the town with an independent governing board. Tax-deductible donations could be made to this trust fund by area foundations, corporations, industries, businesses, private individuals, charities, and civic organizations. An example of a trust fund managed by a municipality is the Raper Roark Trust Fund, managed by the City of Shelby, North Carolina. Resolutions related to this trust fund are included in the Appendix of this report.

A second long-term goal is to explore forming a Municipal Service District (MSD). Property owners within the MSD pay an added property tax in addition to the standard property taxes levied by the

town and the county. These additional tax dollars are used by the town or the organization guiding the revitalization activities to fund improvements within the MSD. When considering a MSD as a potential source of revenue the first step would be to determine the amount of revenue that would be generated by this additional tax, with careful consideration given to the potential boundaries of the district. It is always best to have a strong revitalization plan in place prior to putting forth the effort to form the MSD, as property owners will have legitimate questions regarding how the tax dollars will be used.

In discussing organization and funding it is also beneficial to consider sources of manpower and volunteers. Similar to funding, the need for volunteers and staffing will change over time as the revitalization efforts take on different challenges and tasks. Potential sources of manpower are interns (both local high schools as well as Catawba College, Livingstone College, Rowan Cabarrus Community College, Pfeiffer University, and UNC-Charlotte), Eagle Scouts, church youth groups, retirees, and for small construction projects inmate labor.

## **Recommendations**

- Charge the Revitalization Team to begin carrying out the recommendations of this report.
- Form a Granite Quarry Business Association.
- Establish a Community Appearance Commission.
- Consider replacing the Revitalization Team with a Redevelopment Commission (long-term goal).
- Maintain the Visionary Fund.
- Explore the following funding sources:
  - Rowan County Tourism Development Authority
  - Increased rental fees for the Legion Building
  - Utility round-up of water/sewer bills.
- Explore establishing a community appearance trust fund.
- Explore establishing a Municipal Service District (MSD) (long-term goal).
- Establish relationships with potential sources of labor and volunteers:
  - Interns

- Scouts
- Church youth groups
- Retirees
- Inmate labor

## **Promotion**

**“Image isn’t everything, it’s the only thing.” Loosely borrowed from Vince Lombardi.**

The Promotion component of the four-point approach encompasses a wide variety of activities. Promotion involves marketing the central business district to both residents and visitors, people who drive through Granite Quarry on a daily basis and others who have never taken the opportunity to visit and explore. A solid promotional campaign involves events, marketing strategies, raising awareness throughout the existing community, and promoting the activities of the revitalization organization itself. When discussing both Promotion and Design we will be talking about treating the central business district as a distinct place, and building its image and identity.

## **Taking Stock and Marketing Assets Collectively**

To start the process it is helpful to compile a thorough list of all nearby assets. These would include:

- All businesses in the central business district
- Parks and walking trails
- Local quarries
- Collection of buildings, both residential, commercial, and churches built of native granite
- F & M Bank Museum
- Old Stone House
- Nathan Brown House
- Dunn’s Mountain Park

- Old Stone Winery

Some of these assets are visitor-friendly right now, while others would take further development. The granite quarries and their tie to local buildings and architecture is a unique characteristic of Granite Quarry. It would be beneficial to have a brochure that lays out the history of the quarries, together with a driving tour of surrounding buildings constructed of local granite. Once the list of assets is compiled a brochure could be developed to promote all these destinations together. The brochure should be available at each destination. The Rowan County Tourism Development Authority is one potential source of funding for this brochure, and would be a great resource for marketing Granite Quarry and this list of destinations.

Granite Quarry has tremendous potential for cross-promotions and joint marketing campaigns. Historical tours and sites is a leading draw for tourism. The local heritage assets include the F & M Bank Museum, Old Stone House, and when further developed the Nathan Brown House, a history tour of the quarries, and the architectural tour of local resources constructed of native granite. There is the potential for a National Register historic district to be established along a portion of Main Street. The proximity of Dunn's Mountain and the local parks and walking trails also create the potential for drawing visitors who enjoy exercise and the outdoors. With the success of the Old Stone Winery and its large number of visitors each year agritourism is yet an additional market that can be tapped into. Cross-promoting between existing businesses in the central business district is also a successful way to to increase foot traffic. Shoppers in the clothing store who make a purchase could receive a coupon to one of the local restaurants, and vice-versa. It is important to remember the importance of marketing the entire area as a whole; making it important for all businesses and destinations to have available the brochure mentioned earlier that lists all destinations, including the businesses in the central business district.

## **Marketing with Today's Technology**

Begin taking advantage of today's technology to market the central business district and increase the number of visitors to Granite Quarry. The parks and walking trails are one of Granite Quarry's greatest assets. To increase the number of park users add wifi to the parks and promote that it is available. With the close proximity of the parks and walking trails to the central business district it

would also be beneficial to install kiosks in the parks listing the businesses that are within walking distance, with a map showing their location. Another tremendous marketing tool is the use of social media. Have an intern develop a Facebook page and Twitter account to promote all the destinations on the list of assets. The intern could also work with the individual business owners in the central business district to each develop a Facebook page, with all owners promoting each other's page and the overall Facebook page and Twitter account. Facebook and Twitter are a powerful form of marketing. The only cost is the investment of time to develop these resources and once developed the time to make posts on a regular basis. Another way to tap into today's technology for the purpose of drawing more visitors to the area is to set up geocaching destinations in the parks, walking trails, and the central business district. Geocaching is a modern-day scavenger hunt where smart phones are used to locate canisters, or caches, that have been placed in locations all over the world. Visit [www.geocaching.com](http://www.geocaching.com) for more information on this popular form of free entertainment that has a tremendous following with people of all ages.

## **Special Events**

Special events designed to draw large numbers of people to a destination are also an important piece of Promotion. While these events may not produce a sizeable increase in sales in the local businesses on the day(s) of the events, their long-term benefits can be tremendous. Special events have the potential to introduce a business district to a large number of potential shoppers who might otherwise not know the businesses exist, creating the possibility that they will return at some point in the future. Never assume that local residents know what is in their own backyard in terms of shopping and dining, often times they do not. Begin developing special events by repeating what has already been successful and build from there. Utilize the parks for a number of events such as additional sporting events, concerts, and "art in the park". Large festivals such as Granitefest can serve as a community reunion and build to an event that local residents look forward to year after year. Tours of local churches at Christmas highlighting their architecture and concerts could be another successful addition to a year-long promotional calendar.

## **Promotion of New Businesses**

The importance of promoting the opening of each new business cannot be understated. Purchase an attractive “Grand Opening” banner that can be displayed at a new business for a certain number of days after it opens, and use the same banner at each new business location. Conduct a ribbon cutting to promote new business openings and cover this event in local newspapers and, if possible, the town’s e-newsletter. The Town of Granite Quarry’s e-newsletter could also include a brief article about a new business when the town lists the business in its report of new and renewed business licenses that have been issued.

The need to form a Granite Quarry Business Association was discussed under the topic of Organization. Having this association in place would be very beneficial for the purpose of Promotion. Having monthly meetings at varying locations of the local businesses would allow them to share ways to cross promote with one another, to learn more about each other’s business, to share marketing strategies with one another, and to assist in planning special events and joint marketing campaigns.

## **Recommendations**

- Compile a thorough list of all nearby assets. Include a list of all businesses located in the central business district as part of this list.
- Develop a brochure to collectively promote the destinations on the list of assets, with a map showing the location of each asset. Place this brochure at all destinations.
- Develop marketing campaigns for specific markets:
  - Heritage tours
  - Hiking, camping, and exercise
  - Agritourism
- Encourage local businesses to cross promote with one another.
- Install WIFI in the local parks and promote its availability.
- Install kiosks in the local parks with a list of the businesses located in the central business district and a map showing their location in relation to the parks and walking trails.

- Have an intern develop a Facebook page and Twitter account to promote all the destinations on the list of assets.
- Have an intern work with the individual business owners in the central business district to each develop a Facebook page.
- Develop geocache sites at various destinations, including at least one in the central business district.
- Develop special events, potentially to include:
  - Expansion of Granitefest
  - Events in the parks such as concerts, sporting events, and “art in the park”
  - Local church tour at Christmas
- Promote new business openings with a Grand Opening banner, ribbon-cutting, and brief article in the town’s e-newsletter to coincide with the report of new and renewed business licenses that have been issued.
- Form a Granite Quarry Business Association.

## Design

When we discuss Design as it relates to the central business district we are addressing anything that can be seen with the naked eye. This encompasses not only private-sector design elements such as building and signs, but it also takes into account public-sector components that include public signage, sidewalks, and streetscapes. Design is more than “paint up and fix up”. The appearance of the central business district is its first impression. That first impressions gives the 14,000 plus cars that travel up and down Highway 52 each day a reason to stop and take in all that Granite Quarry has to offer or to continue driving through. Design is also an important business recruitment tool. If the central business district looks fresh, inviting, and has an image that reflects the history and character of the local community it will be more enticing to potential businesses who are looking for a new location. Keep in mind with all of the Design recommendations that any improvements that **are** put in place should be done to high design standards and with quality materials. It is important to note that as we discuss the built environment of the central business district we are also including



the portion of Main Street directly behind the commercial buildings along Highway 52. There is a potential National Register Historic District along a section of Main Street. The properties to be considered for this district are described in the book *The Architecture of Rowan County North Carolina: A Catalogue and History of Surviving 18th, 19th, and 20th Century Structures* written by Davyd Foard Hood. It is recommended that the Town of Granite Quarry contact the North Carolina Historic Preservation Office to explore establishing this National Register district.

## **Public Sector Opportunities**

We begin the discussion of design a few miles beyond the town limits of Granite Quarry. On the major arteries leading to Granite Quarry there are presently no signs directing you to this destination. With the town's proximity to Interstate 85 and a variety of state roads it would be beneficial to have distinctive directional signs installed at key locations leading to Granite Quarry.

Once in Granite Quarry the town faces a unique situation in terms of image. Most small towns have traditional downtowns as central business districts, with a dense massing of multiple one- and two-story buildings constructed directly up to the sidewalk. When you come to a traditional downtown there is no question you have arrived at the community's central business district. In Granite Quarry the central business district is not a traditional downtown, but rather a series of free-standing predominantly single-story commercial and governmental buildings. To someone who has never been to Granite Quarry they will often drive through and come to the neighboring towns of either Salisbury to the north or Rockwell to the south before realizing they have driven through Granite Quarry. It will be important to install or modify Design features that clearly set apart the central business district from the approaches into Granite Quarry. When cars and pedestrians arrive at the edge of the district they should immediately be aware that they are entering the commercial core of Granite Quarry and there is a reason to stop and take notice. At the northern end of the community the town's parks create a positive first impression at the northern and western entrances to the community. The central business district needs to build upon these strong gateways.

Visually identifying the central business district as the cohesive economic center of the community can be achieved by adding or modifying a number of design elements. The holiday decorations

clearly identified the central business district during the month of December. A year-round banner program throughout all blocks of the central business district would continue to set the district apart from surrounding areas. A custom street sign used only in the central business district on the streets where banners are installed would continue to define the central business district. The signs could further promote the character of Granite Quarry if they were designed with an element unique to the community, such as a reference to the quarry industry. The installation of landscaping at intersections and possibly the addition of hanging baskets would continue to identify the business core. It is important to note that a maintenance program should be established before installing any landscaping features. A long-term goal to define the district is the installation of decorative light poles, and removing overhead utility lines from the district. While this can be a costly improvement it would be beneficial to have discussions with utility companies to develop a budget for this improvement and identify various options for engineering this change. One possibility is to move the lines to the rear of the buildings along Highway 52, putting them underground next to the railroad tracks.

With the proximity of the parks and walking trails that lead directly to the central business district it would be beneficial to enhance the pedestrian experience within the district. Wayfinding signs that direct pedestrians from various locations in the central business district to Town Hall, the United States Post Office, walking trails, public transportation, shopping, and dining will assist in making pedestrians aware of where specific destinations are located. A key location for this type of sign would be on East Bank Street directly across from the entrance to the walking trail. Another possible location is in front of or adjacent to Town Hall. As efforts are successful in moving pedestrians in and through the central business district the sidewalks and crosswalks need to be well maintained, comfortable, and safe. Many sidewalks are in need of being replaced, or at a minimum edged. Several sidewalks along Highway 52 are located directly behind the curb, without a grass buffer that separates the highway from the sidewalk. Moving the sidewalk back three to five feet to create this buffer would greatly improve the pedestrian experience, making walking through the central business district safer and more comfortable. Installing crosswalks at all intersections, either painted or stamped, would continue to make the central business district more pedestrian-friendly. In the past few years a larger segment of our population is traveling by bicycle. Installing a bike rack at one or two locations in the central business district, and promoting their location, would assist in generating increased foot traffic. Much thought has gone in to linking the town's parks and walking

trails to each other and to the central business district. It would be beneficial to conduct a design charrette to clearly define these pedestrian links and develop a plan that can be implemented over time.



Note the visual clutter of overhead power lines, as well as the sidewalk directly behind the curb.



Sidewalks in need of repair or replacement.



Crosswalks are needed at all major intersections.



Signage directly across the street from the walking trails would serve well to direct visitors to other destinations including shopping and dining.

## **Private Sector Opportunities**

At the beginning of the Design discussion it was noted that the Granite Quarry central business district is different from most traditional central business districts in that the buildings are free-standing and set back from the sidewalk. In most cases this puts the parking in front of the buildings as opposed to the rear as is found in traditional downtowns. Because of the prominent location of the parking lots their appearance and lighting are all the more critical in terms of the overall image of the central business district. Rather than being a secondary design component they are a primary design component that will play a strong role in either adding or detracting from the district's visual image. Furthermore, Granite Quarry is also unique in that all parking lots, other than those that serve the Granite Quarry Town Hall and the United States Post Office, are privately owned. This puts the responsibility of maintaining the central business district's parking inventory on the private sector as opposed to the public sector. Property owners should be made aware of the importance of well-maintained parking areas to the success of the central business district and be encouraged to properly maintain these spaces, making improvements where needed. A well-maintained lot will also



greatly assist in successfully recruiting higher quality tenants for a property owner's building inventory.

The building setbacks are an asset in terms of flexibility for the business owners. In some traditional downtown settings there are barriers to outside dining and what can be placed on the sidewalks. In Granite Quarry's case, the property in front of the buildings is privately owned and thus has the potential to be used very creatively in a number of ways. Restaurants should work with the property owners to be allowed to develop outdoor seating, an amenity that when done well with quality furniture, umbrellas, etc. will not only be a draw for the restaurant but will add another layer of color and energy to the central business district. Likewise, the space directly in front of the businesses could be creatively accented with art, flowers, and decorative seating, again, adding more color and energy to the streetscape. The possibilities are endless, and if done well and in multiple locations the cumulative effect would be to further define the central business district as a destination, a location worth taking time to explore. It is recommended that the Town of Granite Quarry consult the North Carolina Department of Transportation to determine the exact location of the state's right-of-way to prevent conflicts between the right-of-way and businesses placing items in front of their locations. If the right-of-way is unnecessarily too close to a building the Town could assist in requesting that the right-of-way be moved to offer greater flexibility.

The building stock itself is another component of Design and with these buildings are many opportunities for adding color and vibrancy to the streetscape. There are several benefits that come from making improvements to the privately-owned buildings. The collective result of all or several of the buildings taking time to make physical improvements enhances the central business district as a whole. This along with the other recommendations in this report work together to create a pleasing environment that will encourage the local community and visitors to stop and explore. A central business district with attractive, well maintained buildings gives a potential business another reason to consider Granite Quarry as a business location over other possibilities. Businesses that are located in an attractive location have the advantage of curb appeal, potentially leading to greater traffic and higher sales. With over 14,000 cars traveling on Highway 52 each day the appearance of a building is an important marketing tool.

Attractive color schemes, awnings where appropriate, and creative signage work together to present a pleasing and interesting building façade. Much can be accomplished with color. Many of the buildings in the Granite Quarry central business district are painted in one color. Adding an attractive accent color for doors, windows, and design features can be an inexpensive but effective way to enhance a building. Where flat metal awnings exist building owners may wish to consider wrapping the edge of the awning with a fabric valance, and don't be afraid of using striped fabric as a way to be creative. Signs are yet another way to add detail and color to a building while promoting the business within. Where multiple businesses are located in a single building it would be best to develop a standardized sign design for all the businesses to use, keeping the size, scale, and colors of each sign the same while the font of the text on each business's sign can be their own standard lettering style. As property owners are considering the appearance of their buildings they should also address the appearance of the side and rear elevations. In most cases, due to the unique nature of Granite Quarry's central business district, most side and rear elevations are very visible from a variety of directions.

Sign ordinances have become an important part of most municipalities' zoning ordinances, and Granite Quarry should be applauded for adopting a sign ordinance. The present ordinance is restrictive and appears to not take into account the fact that most businesses are set back from the road. It would be worthwhile for the town to revisit the sign ordinance and make adjustments that meet the intent of controlling the size and scale of signs in the central business district while giving latitude for signs to be effective in an area where large volumes of vehicles travel up and down the road where buildings are not constructed up to the sidewalk. A sign ordinance for a traditional downtown central business district will most likely not work well in this particular district.

Businesses would benefit from the use of sandwich boards in front of their establishments; however many towns wrestle with how to allow this form of advertising without creating visual clutter along the sidewalks. The development of a custom-made sandwich board for use by all the businesses may be an opportunity to again develop a design feature that is unique to Granite Quarry, sets the central business district apart, and gives the businesses a means to advertise their location. Determining the location of the Highway 52 right-of-way will impact the use of sandwich boards.



Space directly in front of businesses could be creatively used for flowers, art, and outdoor seating.

## Grants and Recognition

Many communities have at one time or another developed a local grant program to kick-start improvements to properties in their central business districts. In most cases the grants are a dollar-for-dollar match to private sector funding. The program can be developed to meet the needs of the specific district, and thus varies widely from community to community, as do the requirements and criteria of the grant program. It would be beneficial to develop a grant program in Granite Quarry for painting building facades, new awnings, and signs, as well as improvements to existing privately-owned parking lots. Located in the Appendix of this report are examples of grant applications for available grants in Downtown Concord, North Carolina. Granite Quarry's Vision Fund is one potential source of funding for a grant program. The Community Appearance Commission that was recommended in the discussion on Organization could be the entity that oversees the grant program.

The Community Appearance Commission could also develop a local program of recognizing residential and commercial property owners, businesses, civic groups and community leaders for their accomplishments toward improving the appearance of Granite Quarry. This could be done with quarterly or annual awards. Public recognition of local beautification efforts increases community pride and also promotes the fact that Granite Quarry respects and appreciates beautification activities.

## Recommendations

- Contact the North Carolina Historic Preservation Office to explore developing a National Register Historic District for a portion of Main Street.
- Have distinctive directional signs installed at key locations along major arteries leading to Granite Quarry.
- Visually define the central business district with a year-round banner program and a custom street sign unique to Granite Quarry.
- Install wayfinding signage at multiple locations in the central business district.
- Install landscaping through planters and/or hanging baskets, with a well-developed maintenance plan in place prior to their installation.
- Develop a long-term plan for installing decorative lighting throughout the central business district and removing or relocating overhead utility lines.
- Repair or replace deteriorated sidewalks. Where sidewalks are directly behind the curb move the sidewalk back three to five feet to create a buffer separating the sidewalk from Highway 52.
- Install crosswalks at all intersections within the central business district.
- Install one or two bicycle racks in key locations in the central business district.
- Conduct a design charrette to specifically address creating a continuous pedestrian link between the town's parks, walking trails, and shops and restaurants in the central business district.
- Make property owners aware of the importance of well-maintained and well-lit parking lots with attractive light fixtures to the overall success of the central business district.
- Suggest to restaurants and shops that they take advantage of the space in front of their businesses with outside dining, art, planters, and other amenities.
- Talk with the North Carolina Department of Transportation to determine the exact location of the state's right-of-way for Highway 52, and ask that it be relocated if it prevents businesses from offering outdoor dining and amenities in front of their locations.



- Encourage local property owners to make physical improvements that include new color schemes, fabric awnings where appropriate, and creative signs.
- Revisit the present sign ordinance and determine if it has taken into account the building setbacks. Modify if necessary.
- Develop a standard Granite Quarry sandwich board sign that would compliment the directional and wayfinding signs for use by all businesses in the central business district.
- Develop a grant program for signs, awnings, building façade renovations, and parking lot improvements.
- Develop a local program to recognize and award beautification efforts.

## **Economic Restructuring**

Economic Restructuring involves the process of sustaining existing businesses while actively and systematically recruiting new businesses. There is a significant degree of overlap between the four points of the Main Street Four-Point Approach®, and business recruitment and retention efforts are more successful when the central business district is pleasing in appearance and has a strong promotional and marketing program. Recruiting new businesses will serve to strengthen the existing businesses by creating a larger mass of goods and services to draw larger numbers of consumers to Granite Quarry's central business district.

## **Preparing for Recruitment**

To begin the business recruitment program the community should first pull together a tool chest of information and incentives to have on hand when talking with potential businesses. This starts by knowing the inventory of existing space available for rent, and buildings available for purchase. With the size of the central business district this should not be an overwhelming task. Information about each location should include at a minimum the owner's or property manager's name, phone, and email address, the square footage available, condition of the space (move-in ready or in need of

upgrading), tax card information, and available parking. It would be helpful for property owners and property managers to share this information with each other, so as one is contacted by a potential business and they find they are unable to meet that business's needs they could potentially recommend another location in Granite Quarry. Likewise all available land for sale should be identified and the owner's contact information made readily available for potential inquiries. The next tool to have available is a packet of business start-up information. This would include information on business license rates, where to set up utility accounts, zoning permit and building plan review information if renovation or new construction will be necessary, and an explanation of the local sign ordinance as it pertains specifically to the central business district. Any grants for signs, awnings, and paint would also be included as part of this packet, as would examples of marketing and promotional materials that have been developed for the district. An invitation to join the newly formed business association should also be included.

## **Start-Up Capital**

Start-up capital can be the largest obstacle to new business start-ups. It is suggested that the town speak with local banks about developing a low-interest loan program for businesses that desire to open in Granite Quarry. Another innovative financing tool that is being used by other communities to attract independently-owned specialty businesses is a community assisted business model. Members of the community form a club and develop a list of specific businesses they would like to recruit, and put out a request for proposals from potential business owners. The group reviews the business plans and proposals from all applicants, and if there is one in particular they feel is exceptionally strong they each invest a specified amount of money into that business to assist with its start up. Typically the investors receive their investment back over time with available credits for purchases made in the business. An article about community supported businesses is located in the Appendix. The town may consider as part of its grant program a start-up grant for new businesses to offer dollars for interior building renovations. In the Appendix is an example of a start-up grant currently being offered in Downtown Concord, North Carolina. Another program that should be investigated is the Microenterprise Loan Program offered by the North Carolina Rural Economic Development Center, Inc. Information may be found on their website, [www.ncruralcenter.org](http://www.ncruralcenter.org).

## Potential Businesses

With tools and packets of information in hand Granite Quarry will be ready to begin the business recruitment process. It is best to start by building on existing strong businesses and markets that are unsatisfied then to create new markets. With this in mind the following types of businesses and services are suggested:

- The present medical office complex is ready to expand and Novant has made statements that it would support this development. The town and business leaders should actively pursue this with Novant. There is presently available land on Highway 52 in the central business district that could accommodate an expanded medical office complex.
- The proximity to Dunn's Mountain and the town's parks and walking trails could be utilized to draw a hiking and camping store to the area. Products related to recreational vehicles could also be included in this business to serve the traveling community.
- With a successful winery and a local bee farm in Granite Quarry there is the potential to build on the agri-tourism industry with a fresh market that would include local food products, meats, and poultry. The community desires to have a full-scale chain grocery store in Granite Quarry, however, this may be difficult to accomplish given the close proximity of other chain grocery stores. A fresh market with high quality products could fill this niche.
- The local quarries present additional opportunities for new businesses. One potential business for the quarries is to provide access to scuba divers for rescue training and certification needs.
- Explore the possibility of establishing a Farmers Market one day a week.

Additional businesses that do not necessarily spin off of existing businesses but do have a likely chance of success due to current consumer spending habits and professional trends:

- Dairy Queen or soft-serve yogurt shop, this is a great draw for local youth.
- Key-man office space that provides single-occupant offices with a shared conference room, lobby, and break room.
- A fast food restaurant. With the traffic volume along Highway 52 and developable vacant land Granite Quarry has the potential to support a chain fast food establishment.

- Businesses that cater to youth sports, such as a martial arts studio and/or a youth athletic training facility.
- Dance studio.
- Phone store.
- Coffee shop with wifi.
- Sports bar/restaurant with large screen televisions
- A hardware and paint store that offers a service component.
- Pet store/veterinarian/pet grooming business.
- Gas station

For a more scientific determination of consumer demands that are not presently being served by area businesses, the team obtained data from the Economic and Social Research Institute. (Reports compiled for this analysis are included in the Appendix.) The Retail Market Place Profile report shows dollars spent by consumers (demand) for specific products and services compared to sales in existing establishments (supply). When demand exceeds supply there is leakage, meaning consumers are traveling beyond a certain distance to obtain these goods and services. The reports were run for a one-mile, three-mile, and five mile radius from the Granite Quarry central business district. It is interesting to note where leakage is occurring within a five-mile radius: furniture, electronics and appliances, lawn and garden equipment and supplies, specialty food stores, health and personal care stores, jewelry, luggage and leather goods stores, book, periodical, and music stores, vending machine operations, direct selling establishments, and drinking establishments offering alcoholic beverages. When you reduce the radius to three miles leakage is occurring in the following additional businesses: auto parts, accessories, and tire stores, beer, wine, and liquor stores, florists, and used merchandise stores. Closer to home, at the one-mile radius the following additional businesses are experiencing leakage: automobile dealers, building material and supply dealers, grocery stores, gasoline stations, clothing stores, shoe stores, department stores, office supply and gift stores, electronic shopping and mail order houses, full-service restaurants, limited eating establishments, and special food services.

Another useful report is the Retail Goods and Services Expenditures report, which breaks down consumers into five categories, and lists their spending potential index (SPI), or the amount spent

for a product or service relative to a national average of 100. The highest SPI for Granite Quarry (an SPI of 96 or higher) occurred in the following categories: apparel products and services (sewing goods and fabric, shoe repair, alterations), community antenna or cable television, satellite dishes, pets, toys and games, recreational vehicles and fees, vehicle loans, nonprescription and prescription drugs, eyeglasses and contact lenses, mortgage payment and basics, maintenance and remodeling services and materials, utilities fuel, and public services, lawn and garden, housekeeping supplies, insurance, smoking products, vehicle purchases, gasoline and motor oil.

As mentioned earlier in this report, Economic Restructuring deals with both business recruitment AND business retention. To assist existing and new businesses in remaining open and successful be prepared to offer small business resources. These include the Small Business Center at the Rowan-Cabarrus Community College, and SCORE, an organization staffed by experienced business owners wishing to assist younger start-up businesses. The Granite Quarry Business Association would also play an important role in giving businesses a way to share marketing and business strategies with one another. If financing is needed to assist in sustaining businesses the Rural Center's Capitalization Program is again a possibility, along with loans from the Self Help Credit Union.

During the research conducted in December two other noteworthy topics were discussed. The infrastructure for Fibrant, Salisbury's fiber optic network, runs right through Granite Quarry. The town should talk with Salisbury officials about expanding Fibrant to Granite Quarry, which could provide a significant recruitment tool for high-tech industries to locate in the community. Zoning and land use on Highway 52, specifically between the Granite Lake Park and Fred's was also a topic of discussion. Along this stretch are a group of single-family homes. With the high volume of highway traffic some residents believe these properties would be better suited for office use, however, present zoning restricts signage and parking that would support these professional services. The town should explore developing an overlay for all or part of the residential zoning district along this stretch of Highway 52 to allow greater flexibility with the use of these properties.

## **Recommendations**

- Inventory available space for rent, buildings for sale, and available land for new construction. Have pertinent information available for each location.

- Develop a business start-up kit to include information on business license, utilities, zoning application and plan review, local grants, and the merchants association.
- Talk with local banks about a low-interest loan for business start-ups.
- Explore a community assisted business model to provide start-up capital for businesses the community strongly desires to recruit.
- Develop a start-up grant as another incentive for business recruitment.
- Be prepared to assist existing and new businesses with information on resources such as the Small Business Center at the Rowan-Cabarrus Community College and SCORE.
- Talk with Salisbury officials about expanding Fibrant to Granite Quarry.
- Explore developing an overlay for all or part of the residential zoning district along Highway 52 between the Granite Lake Park and Fred's.

## **Summary of Recommendations**

- Maintain the Revitalization Team to begin carrying out the recommendations of this report.
- Form a Granite Quarry Business Association.
- Establish a Community Appearance Commission.
- Consider replacing the Revitalization Team with a Redevelopment Commission (long-term goal).
- Maintain the Visionary Fund.
- Explore the following funding sources:
  - Rowan County Tourism Development Authority
  - Increased rental fees for the Legion Building
  - Utility round-up of water/sewer bills.
- Explore establishing a community appearance trust fund.

- Explore establishing a Municipal Service District (MSD) (long-term goal).
- Establish relationships with potential sources of labor and volunteers:
  - Interns
  - Scouts
  - Church youth groups
  - Retirees
  - Inmate labor
- Compile a thorough list of all nearby assets. Include a list of all businesses located in the central business district as part of this list.
- Develop a brochure to promote the destinations on the list of assets, with a map showing the location of each asset. Place this brochure at all destinations.
- Develop marketing campaigns for specific markets:
  - Heritage tours
  - Hiking, camping, and exercise
  - Agritourism
- Encourage local businesses to cross promote with one another.
- Install WIFI in the local parks and promote its availability.
- Install kiosks in the local parks with a list of the businesses located in the central business district and a map showing their location in relation to the parks and walking trails.
- Have an intern develop a Facebook page and Twitter account to promote all the destinations on the list of assets.
- Have an intern work with the individual business owners in the central business district to each develop a Facebook page.
- Develop geocache sites at various destinations, including at least one in the central business district.
- Develop special events, potentially to include:
  - Expansion of Granitefest
  - Events in the parks such as concerts, sporting events, and “art in the park”
  - Local church tour at Christmas

- Promote new business openings with a Grand Opening banner, ribbon-cutting, and brief article in the town's e-newsletter to coincide with the report of new business licenses that have been issued.
- Have directional signs installed at key locations along major arteries leading to Granite Quarry.
- Visually define the central business district with a year-round banner program and a custom street sign unique to Granite Quarry.
- Install wayfinding signage at multiple locations in the central business district.
- Install landscaping through planters and/or hanging baskets, with a well-developed maintenance plan in place prior to their installation.
- Develop a long-term plan for installing decorative lighting throughout the central business district and removing overhead utility lines.
- Repair or replace deteriorated sidewalks. Where sidewalks are directly behind the curb move the sidewalk back three to five feet to create a buffer separating the sidewalk from Highway 52.
- Install crosswalks at all intersections within the central business district.
- Install one or two bicycle racks in key locations in the central business district.
- Conduct a design charrette to specifically address creating a continuous pedestrian link between the town's parks, walking trails, the central business district.
- Make property owners aware of the importance of well-maintained and lit parking lots to the overall success of the central business district.
- Suggest to restaurants and shops that they take advantage of the space in front of their businesses with outside dining, art, planters, and other amenities.
- Talk with the North Carolina Department of Transportation to determine the exact location of the state's right-of-way for Highway 52, and ask that it be relocated if it prevents businesses from offering outdoor dining and amenities in front of their locations.
- Encourage local property owners to make physical improvements that include new color schemes, fabric awnings where appropriate, and creative signs.
- Revisit the present sign ordinance and determine if it has taken into account the building setbacks. Modify if necessary.



- Develop a standard Granite Quarry sandwich board sign for use by all businesses in the central business district.
- Develop a grant program for signs, awnings, building façade renovations, and parking lot improvements.
- Develop a local program to recognize and award beautification efforts.
- Inventory available space for rent, buildings for sale, and available land for new construction. Have pertinent information available for each location.
- Develop a business start-up kit to include information on business license, utilities, zoning application and plan review, local grants, and the merchants association.
- Talk with local banks about a low-interest loan for business start-ups.
- Explore a community assisted business model to provide start-up capital for businesses the community strongly desires to recruit.
- Develop a start-up grant as another incentive for business recruitment.
- Talk with Salisbury officials about expanding Fibrant to Granite Quarry.
- Explore developing an overlay for all or part of the residential zoning district along Highway 52 between the Granite Lake Park and Fred's.
- Be prepared to assist existing and new businesses with information on resources such as the Small Business Center at the Rowan-Cabarrus Community College and SCORE.

It is important to reiterate that the recommendations made in this report should not be viewed as a short-term project but rather a long-term commitment to managing the central business district. Many towns have found it beneficial to visit another community that has made great strides in similar efforts. F & M Bank has graciously offered to cover the expense of taking a group from Granite Quarry on a visit such as this, which would be a great first step as the Town prepares to implement many of the above recommendations.

# Appendix

# Urban Redevelopment Law Enabling Legislation

Article 22.  
Urban Redevelopment Law.

**§ 160A-500. Short title.**

This Article shall be known and may be cited as the "Urban Redevelopment Law." (1951, c. 1095, s. 1; 1973, c. 426, s. 75.)

**§ 160A-501. Findings and declaration of policy.**

It is hereby determined and declared as a matter of legislative finding:

- (1) That there exist in urban communities in this State blighted areas as defined herein.
- (2) That such areas are economic or social liabilities, inimical and injurious to the public health, safety, morals and welfare of the residents of the State, harmful to the social and economic well-being of the entire communities in which they exist, depreciating values therein, reducing tax revenues, and thereby depreciating further the general community-wide values.
- (3) That the existence of such areas contributes substantially and increasingly to the spread of disease and crime, necessitating excessive and disproportionate expenditures of public funds for the preservation of the public health and safety, for crime prevention, correction, prosecution, punishment and the treatment of juvenile delinquency and for the maintenance of adequate police, fire and accident protection and other public services and facilities, constitutes an economic and social liability, substantially impairs or arrests the sound growth of communities.
- (4) That the foregoing conditions are beyond remedy or control entirely by regulatory processes in the exercise of the police power and cannot be effectively dealt with by private enterprise under existing law without the additional aids herein granted.
- (5) That the acquisition, preparation, sale, sound replanning, and redevelopment of such areas in accordance with sound and approved plans for their redevelopment will promote the public health, safety, convenience and welfare.

Therefore, it is hereby declared to be the policy of the State of North Carolina to promote the health, safety, and welfare of the inhabitants thereof by the creation of bodies corporate and politic to be known as Redevelopment Commissions, which shall exist and operate for the public purposes of acquiring and replanning such areas and of holding or disposing of them in such manner that they shall become available for economically and socially sound redevelopment. Such purposes are hereby declared to be public uses for which public money may be spent, and private property may be acquired by the exercise of the power of eminent domain. (1951, c. 1095, s. 2; 1973, c. 426, s. 75.)

**§ 160A-502. Additional findings and declaration of policy.**

It is further determined and declared as a matter of legislative finding:

- (1) That the cities of North Carolina constitute important assets for the State and its citizens; that the preservation of the cities and of urban life against physical, social, and other hazards is vital to the safety, health, and welfare of the citizens of the State, and sound urban development in the future is essential to the continued economic development of North Carolina, and that the creation, existence, and growth of substandard areas present substantial hazards to the cities of the State, to urban life, and to sound future urban development.
- (2) That blight exists in commercial and industrial areas as well as in residential areas, in the form of dilapidated, deteriorated, poorly ventilated, obsolete, overcrowded, unsanitary, or unsafe buildings, inadequate and unsafe streets, inadequate lots, and other conditions detrimental to the sound growth of the community; that the presence of such conditions tends to depress the value of neighboring properties, to impair the tax base of the community, and to inhibit private efforts to rehabilitate or improve other structures in the area; and that the acquisition, preparation, sale, sound replanning and redevelopment of such areas in accordance with sound and approved plans will promote the public health, safety, convenience and welfare.
- (3) That not only is it in the interest of the public health, safety, convenience and welfare to eliminate existing substandard areas of all types, but it is also in the public interest and less costly to the community to prevent the creation of new blighted areas or the expansion of existing blighted areas; that vigorous enforcement of municipal and State building standards, sound planning of new community facilities, public acquisition of dilapidated, obsolescent buildings, and other municipal action can aid in preventing the creation of new blighted areas or the expansion of existing blighted areas; and that rehabilitation, conservation, and reconditioning of areas in accordance with sound and approved plans, where, in the absence of such action, there is a clear and present danger that the area will become blighted, will protect and promote the public health, safety, convenience and welfare.

Therefore it is hereby declared to be the policy of the State of North Carolina to protect and promote the health, safety, and welfare of the inhabitants of its urban areas by authorizing Redevelopment Commissions to undertake nonresidential redevelopment in accord with sound and approved plans and to undertake the rehabilitation, conservation, and reconditioning of areas where, in the absence of such action, there is a clear and present danger that the area will become blighted. (1961, c. 837, s. 1; 1973, c. 426, s. 75.)

**§ 160A-503. Definitions.**

The following terms where used in this Article, shall have the following meanings, except where the context clearly indicates a different meaning:

- (1) "Area of operation" – The area within the territorial boundaries of the city or county for which a particular commission is created.

- (2) "Blighted area" shall mean an area in which there is a predominance of buildings or improvements (or which is predominantly residential in character), and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, unsanitary or unsafe conditions, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs the sound growth of the community, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare; provided, no area shall be considered a blighted area within the meaning of this Article, unless it is determined by the planning commission that at least two thirds of the number of buildings within the area are of the character described in this subdivision and substantially contribute to the conditions making such area a blighted area; provided that if the power of eminent domain shall be exercised under the provisions of this Article, it may only be exercised to take a blighted parcel as defined in subdivision (2a) of this section, and the property owner or owners or persons having an interest in property shall be entitled to be represented by counsel of their own selection and their reasonable counsel fees fixed by the court, taxed as a part of the costs and paid by the petitioners.
- (2a) "Blighted parcel" shall mean a parcel on which there is a predominance of buildings or improvements (or which is predominantly residential in character), and which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, unsanitary or unsafe conditions, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs the sound growth of the community, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare; provided, no parcel shall be considered a blighted parcel nor subject to the power of eminent domain, within the meaning of this Article, unless it is determined by the planning commission that the parcel is blighted.
- (3) "Bonds" – Any bonds, interim certificates, notes, debentures or other obligations of a commission issued pursuant to this Article.
- (4) "City" – Any city or town. "The city" shall mean the particular city for which a particular commission is created.
- (5) "Commission" or "Redevelopment Commission" – A public body and a body corporate and politic created and organized in accordance with the provisions of this Article.
- (6) "Field of operation" – The area within the territorial boundaries of the city for which a particular commission is created.

- (7) "Governing body" – In the case of a city or town, the city council or other legislative body. The board of county commissioners.
- (8) "Government" – Includes the State and federal governments or any subdivision, agency or instrumentality corporate or otherwise of either of them.
- (9) "Municipality" – Any incorporated city or town, or any county.
- (10) "Nonresidential redevelopment area" shall mean an area in which there is a predominance of buildings or improvements, whose use is predominantly nonresidential, and which, by reason of:
  - a. Dilapidation, deterioration, age or obsolescence of buildings and other structures,
  - b. Inadequate provisions for ventilation, light, air, sanitation or open spaces,
  - c. Defective or inadequate street layout,
  - d. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness,
  - e. Tax or special assessment delinquency exceeding the fair value of the property,
  - f. Unsanitary or unsafe conditions,
  - g. The existence of conditions which endanger life or property by fire and other causes, or
  - h. Any combination of such factors
    - 1. Substantially impairs the sound growth of the community,
    - 2. Has seriously adverse effects on surrounding development, and
    - 3. Is detrimental to the public health, safety, morals or welfare;provided, no such area shall be considered a nonresidential redevelopment area nor subject to the power of eminent domain, within the meaning of this Article, unless it is determined by the planning commission that at least one half of the number of buildings within the area are of the character described in this subdivision and substantially contribute to the conditions making such area a nonresidential redevelopment area; provided that if the power of eminent domain shall be exercised under the provisions of this Article, the property owner or owners or persons having an interest in property shall be entitled to be represented by counsel of their own selection and their reasonable counsel fees fixed by the court, taxed as a part of the costs and paid by the petitioners.
- (11) "Obligee of the commission" or "obligee" – Any bondholder, trustee or trustees for any bondholders, any lessor demising property to a commission used in connection with a redevelopment project, or any assignees of such lessor's interest, or any part thereof, and the federal government, when it is a party to any contract with a commission.
- (12) "Planning commission" – Any planning commission established by ordinance for a municipality of this State. "The planning commission" shall mean the particular planning commission of the city or town in which a particular commission operates.

- (13) "Real property" – Lands, lands under water, structures and any and all easements, franchises and incorporeal hereditaments and every estate and right therein, legal and equitable, including terms for years and liens by way of judgment, mortgage or otherwise.
- (14) "Redeveloper" – Any individual, partnership or public or private corporation that shall enter or propose to enter into a contract with a commission for the redevelopment of an area under the provisions of this Article.
- (15) "Redevelopment" – The acquisition, replanning, clearance, rehabilitation or rebuilding of an area for residential, recreational, commercial, industrial or other purposes, including the provision of streets, utilities, parks, recreational areas and other open spaces; provided, without limiting the generality thereof, the term "redevelopment" may include a program of repair and rehabilitation of buildings and other improvements, and may include the exercise of any powers under this Article with respect to the area for which such program is undertaken.
- (16) "Redevelopment area" – Any area which a planning commission may find to be
  - a. A blighted area because of the conditions enumerated in subdivision (2) of this section;
  - b. A nonresidential redevelopment area because of conditions enumerated in subdivision (10) of this section;
  - c. A rehabilitation, conservation, and reconditioning area within the meaning of subdivision (21) of this section;
  - d. Any combination thereof, so as to require redevelopment under the provisions of this Article.
- (17) "Redevelopment contract" – A contract between a commission and a redeveloper for the redevelopment of an area under the provisions of this Article.
- (18) "Redevelopment plan" – A plan for the redevelopment of a redevelopment area made by a "commission" in accordance with the provisions of this Article.
- (19) "Redevelopment project" shall mean any work or undertaking:
  - a. To acquire blighted or nonresidential redevelopment areas or portions thereof, or individual tracts in rehabilitation, conservation, and reconditioning areas, including lands, structures, or improvements, the acquisition of which is necessary or incidental to the proper clearance, development, or redevelopment of such areas or to the prevention of the spread or recurrence of conditions of blight;
  - b. To clear any such areas by demolition or removal of existing buildings, structures, streets, utilities or other improvements thereon and to install, construct, or reconstruct streets, utilities, and site improvements essential to the preparation of sites for uses in accordance with the redevelopment plan;
  - c. To sell land in such areas for residential, recreational, commercial, industrial or other use or for the public use to the highest bidder as



herein set out or to retain such land for public use, in accordance with the redevelopment plan;

- d. To carry out plans for a program of voluntary or compulsory repair, rehabilitation, or reconditioning of buildings or other improvements in such areas; including the making of loans therefor; and
- e. To engage in programs of assistance and financing, including the making of loans, for rehabilitation, repair, construction, acquisition, or reconditioning of residential units and commercial and industrial facilities in a redevelopment area.

The term "redevelopment project" may also include the preparation of a redevelopment plan, the planning, survey and other work incident to a redevelopment project, and the preparation of all plans and arrangements for carrying out a redevelopment project.

- (20) "Redevelopment proposal" – A proposal, including supporting data and the form of a redevelopment contract for the redevelopment of all or any part of a redevelopment area.
- (21) "Rehabilitation, conservation, and reconditioning area" shall mean any area which the planning commission shall find, by reason of factors listed in subdivision (2) or subdivision (10), to be subject to a clear and present danger that, in the absence of municipal action to rehabilitate, conserve, and recondition the area, it will become in the reasonably foreseeable future a blighted area or a nonresidential redevelopment area as defined herein. In such an area, no individual tract, building, or improvement shall be subject to the power of eminent domain, within the meaning of this Article, unless it is of the character described in subdivision (2) or subdivision (10) and substantially contributes to the conditions endangering the area; provided that if the power of eminent domain shall be exercised under the provisions of this Article, the respondent or respondents shall be entitled to be represented by counsel of their own selection and their reasonable counsel fees fixed by the court, taxed as part of the costs and paid by the petitioners. (1951, c. 1095, s. 3; 1957, c. 502, ss. 1-3; 1961, c. 837, ss. 2, 3, 4, 6; 1967, c. 1249; 1969, c. 1208, s. 1; 1973, c. 426, s. 75; 1981, c. 907, ss. 1, 2; 1985, c. 665, s. 6; 2006-224, ss. 2.1, 2.2; 2006-259, s. 47.)

#### **§ 160A-504. Formation of commissions.**

(a) Each municipality, as defined herein, is hereby authorized to create separate and distinct bodies corporate and politic to be known as the Redevelopment Commission of the municipality by the passage by the governing body of such municipality of an ordinance or resolution creating a commission to function within the territorial limits of said municipality. Notice of the intent to consider the passage of such a resolution or ordinance shall be published at least 10 days prior to the meeting.

(b) The governing body of a municipality shall not adopt a resolution pursuant to subsection (a) above unless it finds:

- (1) That blighted areas (as herein defined) exist in such municipality, and

- (2) That the redevelopment of such areas is necessary in the interest of the public health, safety, morals or welfare of the residents of such municipality.
- (c) The governing body shall cause a certified copy of such ordinance or resolution to be filed in the office of the Secretary of State; upon receipt of the said certificate the Secretary of State shall issue a certificate of incorporation.
- (d) In any suit, action or proceeding involving or relating to the validity or enforcement of any contract or act of a commission, a copy of the certificate of incorporation duly certified by the Secretary of State shall be admissible in evidence and shall be conclusive proof of the legal establishment of the commission. (1951, c. 1095, s. 4; 1973, c. 426, s. 75.)

**§ 160A-505. Alternative organization.**

(a) **(See note)** In lieu of creating a Redevelopment Commission as authorized herein, the governing body of any municipality may, if it deems wise, either designate a housing authority created under the provisions of Chapter 157 of the General Statutes to exercise the powers, duties, and responsibilities of a Redevelopment Commission as prescribed herein, or undertake to exercise such powers, duties, and responsibilities itself. Any such designation shall be by passage of a resolution adopted in accordance with the procedure and pursuant to the findings specified in G.S. 160A-504(a) and (b). In the event a governing body designates itself to perform the powers, duties, and responsibilities of a Redevelopment Commission, then where any act or proceeding is required to be done, recommended, or approved both by a Redevelopment Commission and by the municipal governing body, then the performance, recommendation, or approval thereof once by the municipal governing body shall be sufficient to make such performance, recommendation, or approval valid and legal. In the event a municipal governing body designates itself to exercise the powers, duties, and responsibilities of a Redevelopment Commission, it may assign the administration of redevelopment policies, programs and plans to any existing or new department of the municipality.

(a) **(For effective date, see note)** In lieu of creating a Redevelopment Commission as authorized herein, the governing body of any municipality may, if it deems wise, either designate a housing authority created under the provisions of Chapter 157 of the General Statutes to exercise the powers, duties, and responsibilities of a Redevelopment Commission as prescribed herein, or undertake to exercise such powers, duties, and responsibilities itself. Any such designation shall be by passage of a resolution adopted in accordance with the procedure and pursuant to the findings specified in G.S. 160A-504(a) and (b). In the event a governing body designates itself to perform the powers, duties, and responsibilities of a Redevelopment Commission under this subsection, or exercises those powers, duties, and responsibilities pursuant to G.S. 153A-376 or G.S. 160A-456, then where any act or proceeding is required to be done, recommended, or approved both by a Redevelopment Commission and by the municipal governing body, then the performance, recommendation, or approval thereof once by the municipal governing body shall be sufficient to make such performance, recommendation, or approval valid and legal. In the event a municipal governing body designates itself to exercise the powers, duties, and responsibilities of a Redevelopment Commission, it may assign the administration of redevelopment policies, programs and plans to any existing or new department of the municipality.

(b) The governing body of any municipality which has prior to July 1, 1969, created, or which may hereafter create, a Redevelopment Commission may, in its discretion, by resolution abolish such Redevelopment Commission, such abolition to be effective on a day set in such resolution not less than 90 days after its adoption. Upon the adoption of such a resolution, the Redevelopment Commission of the municipality is hereby authorized and directed to take such actions and to execute such documents as will carry into effect the provisions and the intent of the resolution, and as will effectively transfer its authority, responsibilities, obligations, personnel, and property, both real and personal, to the municipality. Any municipality which abolishes a Redevelopment Commission pursuant to this subsection may, at any time subsequent to such abolition or concurrently therewith, exercise the authority granted by subsection (a) of this section.

On the day set in the resolution of the governing body:

- (1) The Redevelopment Commission shall cease to exist as a body politic and corporate and as a public body;
- (2) All property, real and personal and mixed, belonging to the Redevelopment Commission shall vest in, belong to, and be the property of the municipality;
- (3) All judgments, liens, rights of liens, and causes of action of any nature in favor of the Redevelopment Commission shall remain, vest in, and inure to the benefit of the municipality;
- (4) All rentals, taxes, assessments, and any other funds, charges or fees, owing to the Redevelopment Commission shall be owed to and collected by the municipality;
- (5) Any actions, suits, and proceedings pending against, or having been instituted by the Redevelopment Commission shall not be abated by such abolition, but all such actions, suits, and proceedings shall be continued and completed in the same manner as if abolition had not occurred, and the municipality shall be a party to all such actions, suits, and proceedings in the place and stead of the Redevelopment Commission and shall pay or cause to be paid any judgment rendered against the Redevelopment Commission in any such actions, suits, or proceedings, and no new process need be served in any such action, suit, or proceeding;
- (6) All obligations of the Redevelopment Commission, including outstanding indebtedness, shall be assumed by the municipality, and all such obligations and outstanding indebtedness shall be constituted obligations and indebtedness of the municipality;
- (7) All ordinances, rules, regulations and policies of the Redevelopment Commission shall continue in full force and effect until repealed or amended by the governing body of the municipality.

(c) Where the governing body of any municipality has in its discretion, by resolution, abolished a Redevelopment Commission pursuant to subsection (b) above, the governing body of such municipality may, at any time subsequent to the passage of a resolution abolishing a Redevelopment Commission, or concurrently therewith, by the passage of a resolution adopted in accordance with the procedures and pursuant to the findings specified in G.S. 160A-504(a) and (b), designate an existing housing authority created pursuant to Chapter 157 of the General

Statutes to exercise the powers, duties, and responsibilities of a Redevelopment Commission. Where the governing body of any municipality designates, pursuant to this subsection, an existing housing authority created pursuant to Chapter 157 of the General Statutes to exercise the powers, duties, and responsibilities of a Redevelopment Commission, on the day set in the resolution of the governing body passed pursuant to subsection (b) of this section, or pursuant to subsection (c) of this section:

- (1) The Redevelopment Commission shall cease to exist as a body politic and corporate and as a public body;
  - (2) All property, real and personal and mixed, belonging to the Redevelopment Commission or to the municipality as hereinabove provided in subsections (a) or (b), shall vest in, belong to, and be the property of the existing housing authority of the municipality;
  - (3) All judgments, liens, rights of liens, and causes of action of any nature in favor of the Redevelopment Commission or in favor of the municipality as hereinabove provided in subsections (a) or (b), shall remain, vest in, and inure to the benefit of the existing housing authority of the municipality;
  - (4) All rentals, taxes, assessments, and any other funds, charges or fees owing to the Redevelopment Commission, or owing to the municipality as hereinabove provided in subsections (a) or (b), shall be owed to and collected by the existing housing authority of the municipality;
  - (5) Any actions, suits, and proceedings pending against or having been instituted by the Redevelopment Commission, or the municipality, or to which the municipality has become a party, as hereinabove provided in subsections (a) or (b), shall not be abated by such abolition but all such actions, suits, and proceedings shall be continued and completed in the same manner as if abolition had not occurred, and the existing housing authority of the municipality shall be a party to all such actions, suits, and proceedings in the place and stead of the Redevelopment Commission, or the municipality, and shall pay or cause to be paid any judgments rendered in such actions, suits, or proceedings, and no new processes need be served in such action, suit, or proceeding;
  - (6) All obligations of the Redevelopment Commission, or the municipality as hereinabove provided in subsections (a) or (b), including outstanding indebtedness, shall be assumed by the existing housing authority of the municipality; and all such obligations and outstanding indebtedness shall be constituted obligations and indebtedness of the existing housing authority of the municipality.
  - (7) All ordinances, rules, regulations, and policies of the Redevelopment Commission, or of the municipality as hereinabove provided in subsections (a) or (b), shall continue in full force and effect until repealed and amended by the existing housing authority of the municipality.
- (d) A housing authority designated by the governing body of any municipality to exercise the powers, duties and responsibilities of a Redevelopment Commission shall, when exercising the same, do so in accordance with Article 22 of Chapter 160A of the General Statutes.

Otherwise the housing authority shall continue to exercise the powers, duties and responsibilities of a housing authority in accordance with Chapter 157 of the General Statutes. (1969, c. 1217, s. 1; 1971, c. 116, ss. 1, 2; 1973, c. 426, s. 75; 1981 (Reg. Sess., 1982), c. 1276, s. 13; 2003-403, s. 16.)

**§ 160A-505.1. Commission budgeting and accounting systems as a part of municipality budgeting and accounting systems.**

The governing body of a municipality may by resolution provide that the budgeting and accounting systems of the municipality's Redevelopment Commission or, if the municipality's housing authority is exercising the powers, duties, and responsibilities of a Redevelopment Commission, the budgeting and accounting systems of the housing authority, shall be an integral part of the budgeting and accounting systems of the municipality. If such a resolution is adopted:

- (1) For purposes of the Local Government Budget and Fiscal Control Act, the commission or authority shall not be considered a "public authority," as that phrase is defined in G.S. 159-7(b), but rather shall be considered a department or agency of the municipality. The operations of the commission or authority shall be budgeted and accounted for as if the operations were those of a public enterprise of the municipality.
- (2) The budget of the commission or authority shall be prepared and submitted in the same manner and according to the same procedures as are the budgets of other departments and agencies of the municipality; and the budget ordinance of the municipality shall provide for the operations of the commission or authority.
- (3) The budget officer and finance officer of the municipality shall administer and control that portion of the municipality's budget ordinance relating to the operations of the commission or authority. (1971, c. 780, s. 37.2; 1973, c. 474, s. 30.)

**§ 160A-506. Creation of a county Redevelopment Commission.**

If the board of county commissioners of a county by resolution declares that blighted areas do exist in said county, and the redevelopment of such areas is necessary in the interest of public health, safety, morals, or welfare of the residents of such county, the county commissioners of said county are hereby authorized to create a separate and distinct body corporate and politic to be known as the Redevelopment Commission of said county by passing a resolution to create such a commission to function in the territorial limits of said county. Provided, however, that notice of the intent to consider passage of such a resolution or ordinance shall be published at least 10 days prior to the meeting of the board of county commissioners for such purposes, and further provided that the Redevelopment Commission shall not function in an area where such a commission exists or in the corporate limits of a municipality without resolution of agreement by said municipality.

All of the provisions of Article 22, Chapter 160A of the General Statutes, shall be applicable to county Redevelopment Commissions, including the formation, appointment, tenure,

compensation, organization, interest and powers as specified therein. (1969, c. 1208, s. 2; 1973, c. 426, s. 75.)

**§ 160A-507. Creation of a regional Redevelopment Commission.**

If the board of county commissioners of two or more contiguous counties by resolution declare that blighted areas do exist in said counties and the redevelopment of such areas is necessary in the interest of public health, morals, or welfare of the residents of such counties, the county commissioners of said counties are hereby authorized to create a separate and distinct body corporate and politic to be known as the regional Redevelopment Commission by the passage of a resolution by each county to create such a commission to function in the territorial limits of the counties; provided, however, that notice of the intent to consider passage of such a resolution or ordinance shall be published at least 10 days prior to the meeting of the board of county commissioners for such purposes, and further provided that the Redevelopment Commission shall not function in an area where such a commission exists or in the corporate limits of a municipality without resolution of agreement by the municipality.

The board of county commissioners of each county included in the regional Redevelopment Commission shall appoint one person as a commissioner and such a person may be appointed at or after the time of the adoption of the resolution creating the Redevelopment Commission. The board of county commissioners shall have the authority to appoint successors or to remove persons for misconduct who are appointed by them. Each commissioner to the Redevelopment Commission shall serve for a five-year term except that initial appointments may be for less time in order to establish a fair rotation system of appointments. In the event that a regional Redevelopment Commission shall have an even number of counties, the Governor of North Carolina shall appoint a member to the commission from the area to be served. The appointed members as commissioners shall constitute the regional Redevelopment Commission and certification of appointment shall be filed with the Secretary of State as part of the application for charter.

All provisions of the "Urban Redevelopment Law" as defined in Article 22 of Chapter 160A of the General Statutes, shall apply to the creation and operation of a regional Redevelopment Commission, and where reference is made to municipality, it shall be interpreted to apply to the area served by the regional Redevelopment Commission. (1969, c. 1208, s. 3; 1973, c. 426, s. 75.)

**§ 160A-507.1. Creation of a joint county-city Redevelopment Commission.**

A county and one or more cities within the county are hereby authorized to create a separate and distinct body corporate and politic to be known as the joint Redevelopment Commission by the passage of a resolution by the board of county commissioners and the governing body of one or more cities within the county creating such a commission to function within the territorial limits of such participating units of government; provided, however, that notice of the intent to consider passage of such a resolution or ordinance shall be published at least 10 days prior to the meeting of the affected governing boards for such purposes, and further provided that a joint Redevelopment Commission created hereunder shall have



authority to operate in an area where there presently exists a Redevelopment Commission upon the approval of the municipality or county concerned. The governing body of each participating local government shall appoint one or more commissioners as such governing bodies shall determine; such persons may be appointed at or after the time of adoption of the resolution creating the joint Redevelopment Commission. The appointing authority shall have the authority to appoint successors or to remove persons for misfeasance, malfeasance or nonfeasance who are appointed by them. Each commissioner shall serve for a term designated by the governing bodies of not less than one nor more than five years. The appointed members as commissioners shall constitute the joint Redevelopment Commission and certification of appointment shall be filed with the Secretary of State as part of the application for charter.

All provisions of the "Urban Redevelopment Law" as defined in Article 22 of Chapter 160A of the General Statutes shall apply to the creation and operation of a joint Redevelopment Commission and where reference is made to municipality, it shall be interpreted to apply to the units of government creating a joint Redevelopment Commission. (1975, c. 407.)

**§ 160A-508. Appointment and qualifications of members of commission.**

Upon certification of a resolution declaring the need for a commission to operate in a city or town, the mayor and governing board thereof, respectively, shall appoint, as members of the commission, not less than five nor more than nine citizens who shall be residents of the city or town in which the commission is to operate. The governing body may at any time by resolution or ordinance increase or decrease the membership of a commission, within the limitations herein prescribed. (1951, c. 1095, s. 5; 1971, c. 362, ss. 6, 7; 1973, c. 426, s. 75.)

**§ 160A-509. Tenure and compensation of members of commission.**

The mayor and governing body shall designate overlapping terms of not less than one nor more than five years for the members who are first appointed. Thereafter, the term of office shall be five years. A member shall hold office until his successor has been appointed and qualified. Vacancies for the unexpired terms shall be promptly filled by the mayor and governing body. A member shall receive such compensation, if any, as the municipal governing board may provide for this service, and shall be entitled within the budget appropriation to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. (1951, c. 1095, s. 6; 1967, c. 932, s. 4; 1971, c. 362, s. 8; 1973, c. 426, s. 75.)

**§ 160A-510. Organization of commission.**

The members of a commission shall select from among themselves a chairman, a vice-chairman, and such other officers as the commission may determine. A commission may employ a secretary, its own counsel, and such technical experts, and such other agents and employees, permanent or temporary, as it may require, and may determine the qualifications and fix the compensation of such persons. A majority of the members shall constitute a quorum for its meeting. Members shall not be liable personally on the bonds or other obligations of the commission, and the rights of creditors shall be solely against such commission. A commission may delegate to one or more of its members, agents or employees such of its powers as it shall

deem necessary to carry out the purposes of this Article, subject always to the supervision and control of the commission. For inefficiency or neglect of duty or misconduct in office, a commissioner of a commission may be removed by the governing body, but a commissioner shall be removed only after a hearing and after he shall have been given a copy of the charges at least 10 days prior to such hearing and have had an opportunity to be heard in person or by counsel. (1951, c. 1095, s. 7; 1971, c. 362, s. 9; 1973, c. 426, s. 75.)

**§ 160A-511. Interest of members or employees.**

No member or employee of a commission shall acquire any interest, direct or indirect, in any redevelopment project or in any property included or planned to be included in any redevelopment area, or in any area which he may have reason to believe may be certified to be a redevelopment area, nor shall he have any interest, direct or indirect, in any contract or proposed contract for materials or services to be furnished or used by a commission, or in any contract with a redeveloper or prospective redeveloper relating, directly or indirectly, to any redevelopment project, except that a member or employee of a commission may acquire property in a residential redevelopment area from a person or entity other than the commission after the residential redevelopment plan for that area is adopted if:

- (1) The primary purpose of acquisition is to occupy the property as his principal residence;
- (2) The redevelopment plan does not provide for acquisition of such property by the commission; and
- (3) Prior to acquiring title to the property, the member or employee shall have disclosed in writing to the commission and to the local governing body his intent to acquire the property and to occupy the property as his principal residence.

Except as authorized herein, the acquisition of any such interest in a redevelopment project or in any such property or contract shall constitute misconduct in office. If any member or employee of a commission shall have already owned or controlled within the preceding two years any interest, direct or indirect, in any property later included or planned to be included in any redevelopment project, under the jurisdiction of the commission, or has any such interest in any contract for material or services to be furnished or used in connection with any redevelopment project, he shall disclose the same in writing to the commission and to the local governing body. Any disclosure required herein shall be entered in writing upon the minute books of the commission. Failure to make disclosure shall constitute misconduct in office. (1951, c. 1095, s. 8; 1973, c. 426, s. 75; 1977, 2nd Sess., c. 1139.)

**§ 160A-512. Powers of commission.**

A commission shall constitute a public body, corporate and politic, exercising public and essential governmental powers, which powers shall include all powers necessary or appropriate to carry out and effectuate the purposes and provisions of this Article, including the following powers in addition to those herein otherwise granted:



- (1) To procure from the planning commission the designation of areas in need of redevelopment and its recommendation for such redevelopment;
- (2) To cooperate with any government or municipality as herein defined;
- (3) To act as agent of the State or federal government or any of its instrumentalities or agencies for the public purposes set out in this Article;
- (4) To prepare or cause to be prepared and recommend redevelopment plans to the governing body of the municipality and to undertake and carry out "redevelopment projects" within its area of operation;
- (5) Subject to the provisions of G.S. 160A-514(b) to arrange or contract for the furnishing or repair, by any person or agency, public or private, of services, privileges, works, streets, roads, public utilities or other facilities for or in connection with a redevelopment project; and (notwithstanding anything to the contrary contained in this Article or any other provision of law), to agree to any conditions that it may deem reasonable and appropriate attached to federal financial assistance and imposed pursuant to federal law relating to the determination of prevailing salaries or wages or compliance with labor standards, in the undertaking or carrying out of a redevelopment project, and to include in any contract let in connection with such a project, provisions to fulfill such of said conditions as it may deem reasonable and appropriate;
- (6) Within its area of operation, to purchase, obtain options upon, acquire by gift, grant, devise, eminent domain or otherwise, any real or personal property or any interest therein, together with any improvements thereon, necessary or incidental to a redevelopment project, except that eminent domain may only be used to take a blighted parcel; to hold, improve, clear or prepare for redevelopment any such property, and subject to the provisions of G.S. 160A-514, and with the approval of the local governing body sell, exchange, transfer, assign, subdivide, retain for its own use, mortgage, pledge, hypothecate or otherwise encumber or dispose of any real or personal property or any interest therein, either as an entirety to a single "redeveloper" or in parts to several redevelopers; provided that the commission finds that the sale or other transfer of any such part will not be prejudicial to the sale of other parts of the redevelopment area, nor in any other way prejudicial to the realization of the redevelopment plan approved by the governing body; to enter into contracts, either before or after the real property that is the subject of the contract is acquired by the Commission (although disposition of the property is still subject to G.S. 160A-514), with "redevelopers" of property containing covenants, restrictions, and conditions regarding the use of such property for residential, commercial, industrial, recreational purposes or for public purposes in accordance with the redevelopment plan and such other covenants, restrictions and conditions as the commission may deem necessary to prevent a recurrence of blighted areas or to effectuate the purposes of this Article; to make any of the covenants, restrictions or conditions of the foregoing contracts covenants

running with the land, and to provide appropriate remedies for any breach of any such covenants or conditions, including the right to terminate such contracts and any interest in the property created pursuant thereto; to borrow money and issue bonds therefor and provide security for bonds; to insure or provide for the insurance of any real or personal property or operations of the commission against any risks or hazards, including the power to pay premiums on any such insurance; and to enter into any contracts necessary to effectuate the purposes of this Article;

- (7) To invest any funds held in reserves or sinking funds or any funds not required for immediate disbursements, in such investments as may be lawful for guardians, executors, administrators or other fiduciaries under the laws of this State; to redeem its bonds at the redemption price established therein or to purchase its bonds at less than redemption price, all bonds so redeemed or purchased to be cancelled;
- (8) To borrow money and to apply for and accept advances, loans evidenced by bonds, grants, contributions and any other form of financial assistance from the federal government, the State, county, municipality or other public body or from any sources, public or private for the purposes of this Article, to give such security as may be required and to enter into and carry out contracts in connection therewith; and, notwithstanding the provisions of any other law, may include in any contract for financial assistance with the federal government for a redevelopment project such conditions imposed pursuant to federal law as the commission may deem reasonable and appropriate and which are not inconsistent with the purposes of this Article;
- (9) Acting through one or more commissioners or other persons designated by the commission, to conduct examinations and investigations and to hear testimony and take proof under oath at public or private hearings on any matter material for its information; to administer oaths, issue subpoenas requiring the attendance of witnesses or the production of books and papers;
- (10) Within its area of operation, to make or have made all surveys, studies and plans (but not including the preparation of a general plan for the community) necessary to the carrying out of the purposes of this Article and in connection therewith to enter into or upon any land, building, or improvement thereon for such purposes and to make soundings, test borings, surveys, appraisals and other preliminary studies and investigations necessary to carry out its powers but such entry shall constitute no cause of action for trespass in favor of the owner of such land, building, or improvement except for injuries resulting from negligence, wantonness or malice; and to contract or cooperate with any and all persons or agencies public or private, in the making and carrying out of such surveys, appraisals, studies and plans.

A Redevelopment Commission is hereby specifically authorized to make (i) plans for carrying out a program of voluntary repair and rehabilitation of

buildings and improvements and (ii) plans for the enforcement of laws, codes, and regulations relating to the use of land and the use and occupancy of buildings and improvements, and to the compulsory repair, rehabilitation, demolition, or removal of buildings and improvements. The Redevelopment Commission is further authorized to develop, test and report methods and techniques, and carry out demonstrations and other activities, for the prevention and elimination of slums and urban blight.

- (11) To make such expenditures as may be necessary to carry out the purposes of this Article; and to make expenditures from funds obtained from the federal government;
- (12) To sue and be sued;
- (13) To adopt a seal;
- (14) To have perpetual succession;
- (15) To make and execute contracts and other instruments necessary or convenient to the exercise of the powers of the commission; and any contract or instrument when signed by the chairman or vice-chairman and secretary or assistant secretary, or, treasurer or assistant treasurer of the commission shall be held to have been properly executed for and on its behalf;
- (16) To make and from time to time amend and repeal bylaws, rules, regulations and resolutions;
- (17) To make available to the government or municipality or any appropriate agency, board or commission, the recommendations of the commission affecting any area in its field of operation or property therein, which it may deem likely to promote the public health, morals, safety or welfare;
- (18) To perform redevelopment project undertakings and activities in one or more contiguous or noncontiguous redevelopment areas which are planned and carried out on the basis of annual increments. (1951, c. 1095, s. 9; 1961, c. 837, ss. 5, 7; 1969, c. 254, s. 1; 1973, c. 426, s. 75; 1981 (Reg. Sess., 1982), c. 1276, s. 14; 2003-403, s. 17; 2006-224, s. 2.3; 2006-259, s. 47; 2011-284, s. 120.)

**§ 160A-513. Preparation and adoption of redevelopment plans.**

(a) A commission shall prepare a redevelopment plan for any area certified by the planning commission to be a redevelopment area. A redevelopment plan shall be sufficiently complete to indicate its relationship to definite local objectives as to appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities and other public improvements and the proposed land uses and building requirements in the redevelopment project area.

(b) The planning commission's certification of a redevelopment area shall be made in conformance with its comprehensive general plan, if any (which may include, inter alia, a plan of major traffic arteries and terminals and a land use plan and projected population densities) for the area.

(c) A commission shall not acquire real property for a development project unless the governing body of the community in which the redevelopment project area is located has approved the redevelopment plan, as hereinafter prescribed; provided, however, that the commission may acquire, through negotiation, specific pieces of property in the redevelopment area prior to the approval of such plan when the governing body finds that advance acquisition of such properties is in the public interest and specifically approves such action.

(d) The Redevelopment Commission's redevelopment plan shall include, without being limited to, the following:

- (1) The boundaries of the area, with a map showing the existing uses of the real property therein;
- (2) A land use plan of the area showing proposed uses following redevelopment;
- (3) Standards of population densities, land coverage and building intensities in the proposed redevelopment;
- (4) A preliminary site plan of the area;
- (5) A statement of the proposed changes, if any, in zoning ordinances or maps;
- (6) A statement of any proposed changes in street layouts or street levels;
- (7) A statement of the estimated cost and method of financing redevelopment under the plan; provided, that where redevelopment activities are performed on the basis of annual increments, such statement to be sufficient shall set forth a schedule of the activities proposed to be undertaken during the incremental period, together with a statement of the estimated cost and method of financing such scheduled activities only;
- (8) A statement of such continuing controls as may be deemed necessary to effectuate the purposes of this Article;
- (9) A statement of a feasible method proposed for the relocation of the families displaced.

(e) The commission shall hold a public hearing prior to its final determination of the redevelopment plan. Notice of such hearing shall be given once a week for two successive calendar weeks in a newspaper published in the municipality, or if there be no newspaper published in the municipality, by posting such notice at four public places in the municipality, said notice to be published the first time or posted not less than 15 days prior to the date fixed for said hearing.

(f) The commission shall submit the redevelopment plan to the planning commission for review. The planning commission, shall, within 45 days, certify to the Redevelopment Commission its recommendation on the redevelopment plan, either of approval, rejection or modification, and in the latter event, specify the changes recommended.

(g) Upon receipt of the planning commission's recommendation, or at the expiration of 45 days, if no recommendation is made by the planning commission, the commission shall submit to the governing body the redevelopment plan with the recommendation, if any, of the planning commission thereon. Prior to recommending a redevelopment plan to the governing body for approval, the commission shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted and harmonious development of the community and its environs, which will in accordance with present and

future needs promote health, safety, morals, order, convenience, prosperity and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage and other public utilities, schools, parks, recreational and community facilities and other public requirements, the promotion of sound design and arrangements, the wise and efficient expenditure of public funds, the prevention of the recurrence of insanitary or unsafe dwelling accommodations, slums, or conditions or blight.

(h) The governing body, upon receipt of the redevelopment plan and the recommendation (if any) of the planning commission, shall hold a public hearing upon said plan. Notice of such hearing shall be given once a week for two successive weeks in a newspaper published in the municipality, or, if there be no newspaper published in the municipality, by posting such notice at four public places in the municipality, said notice to be published the first time or posted not less than 15 days prior to the date fixed for said hearing. The notice shall describe the redevelopment area by boundaries, in a manner designed to be understandable by the general public. The redevelopment plan, including such maps, plans, contracts, or other documents as form a part of it, together with the recommendation (if any) of the planning commission and supporting data, shall be available for public inspection at a location specified in the notice for at least 10 days prior to the hearing.

At the hearing the governing body shall afford an opportunity to all persons or agencies interested to be heard and shall receive, make known, and consider recommendations in writing with reference to the redevelopment plan.

(i) The governing body shall approve, amend, or reject the redevelopment plan as submitted.

(j) Subject to the proviso in subsection (c) of this section, upon approval by the governing body of the redevelopment plan, the commission is authorized to acquire property, to execute contracts for clearance and preparation of the land for resale, and to take other actions necessary to carry out the plan, in accordance with the provisions of this Article.

(k) A redevelopment plan may be modified at any time by the commission; provided that, if modified after the sale of real property in the redevelopment project area, the modification must be consented to by the redeveloper of such real property or his successor, or their successors in interest affected by the proposed modification. Where the proposed modification will substantially change the redevelopment plan as previously approved by the governing body the modification must similarly be approved by the governing body as provided above. (1951, c. 1095, s. 10; 1961, c. 837, s. 8; 1965, c. 808; 1969, c. 254, s. 2; 1973, c. 426, s. 75.)

**§ 160A-514. Required procedures for contracts, purchases and sales; powers of commission in carrying out redevelopment project.**

(a) A commission may privately contract for engineering, legal, surveying, professional or other similar services without advertisement or bid.

(b) In entering and carrying out any contract for construction, demolition, moving of structures, or repair work or the purchase of apparatus, supplies, materials, or equipment, a commission shall comply with the provisions of Article 8 of Chapter 143 of the General Statutes. In construing such provisions, the commission shall be considered to be the governing board of a "subdivision of the State," and a contract for demolition or moving of structures, shall be treated in the same manner as a contract for construction or repair. Compliance with such provisions shall not be required, however, where the commission enters into contracts with the municipality which created it for the municipality to furnish any such services, work, apparatus, supplies, materials, or equipment; the making of these contracts without advertisement or bids is hereby specifically authorized. Advertisement or bids shall not be required for any contract for construction, demolition, moving of structures, or repair work, or for the purchase of apparatus, supplies, materials, or equipment, where such contract involves the expenditure of public money in an amount less than five hundred dollars (\$500.00).

(c) A commission may sell, exchange, or otherwise transfer the fee or any lesser interest in real property in a redevelopment project area to any redeveloper for any public or private use that accords with the redevelopment plan, subject to such covenants, conditions and restrictions as the commission may deem to be in the public interest and in furtherance of the purposes of this Article. In the sale, exchange, or transfer of property, the commission shall exercise the authority and procedure set out in G.S. 160A-268, 160A-269, 160A-270, 160A-271, or 160A-279 for the disposition of property by a city council. Provided, however, that all sales, exchanges, or other transfers of real property from July 9, 1985, to December 31, 1987, in accordance with the provisions of this section prior to its revision on July 9, 1985, shall be and are valid in all respects.

(d) A commission may sell personal property having a value of less than five hundred dollars (\$500.00) at private sale without advertisement and bids.

(e) In carrying out a redevelopment project, the commission may:

- (1) With or without consideration and at private sale convey to the municipality in which the project is located such real property as, in accordance with the redevelopment plan, is to be laid out into streets, alleys, and public ways.
- (2) With or without consideration, convey at private sale, grant, or dedicate easements and rights-of-way for public utilities, sewers, streets and other similar facilities, in accordance with the redevelopment plan.
- (3) With or without consideration and at private sale convey to the municipality, county or other appropriate public body such real property as, in accordance with the redevelopment plan, is to be used for parks, schools, public buildings, facilities or other public purposes.
- (4) In addition to other authority contained in this section, after a public hearing advertised in accordance with the provisions of G.S. 160A-513(e), and subject to the approval of the governing body of the municipality, convey to a nonprofit association or corporation organized and operated exclusively for educational, scientific, literary, cultural, charitable or religious purposes, no part of the net earnings of which inure to the benefit of any private shareholder or individual, such real property as, in accordance with the redevelopment plan, is to be used for the purposes of such associations or

corporations. Such conveyance shall be for such consideration as may be agreed upon by the commission and the association or corporation, which shall not be less than the fair value of the property agreed upon by a committee of three professional real estate appraisers currently practicing in the State, which committee shall be appointed by the commission. All conveyances made under the authority of this subsection shall contain restrictive covenants limiting the use of property so conveyed to the purposes for which the conveyance is made.

(f) After receiving the required approval of a sale from the governing body of the municipality, the commission may execute any required contracts, deeds, and other instruments and take all steps necessary to effectuate any such contract or sale. Any contract of sale between a commission and a redeveloper may contain, without being limited to, any or all of the following provisions:

- (1) Plans prepared by the redeveloper or otherwise and such other documents as may be required to show the type, material, structure and general character of the proposed redevelopment;
- (2) A statement of the use intended for each part of the proposed redevelopment;
- (3) A guaranty of completion of the proposed redevelopment within specified time limits;
- (4) The amount, if known, of the consideration to be paid;
- (5) Adequate safeguards for proper maintenance of all parts of the proposed redevelopment;
- (6) Such other continuing controls as may be deemed necessary to effectuate the purposes of this Article.

Any deed to a redeveloper in furtherance of a redevelopment contract shall be executed in the name of the commission, by its proper officers, and shall contain in addition to all other provisions, such conditions, restrictions and provisions as the commission may deem desirable to run with the land in order to effectuate the purposes of this Article.

(g) The commission may temporarily rent or lease, operate and maintain real property in a redevelopment project area, pending the disposition of the property for redevelopment, for such uses and purposes as may be deemed desirable even though not in conformity with the redevelopment plan. (1951, c. 1095, s. 11; 1961, c. 837, s. 9; 1963, c. 1212, ss. 1, 2; 1965, c. 679, s. 2; 1967, c. 24, s. 18; c. 932, s. 1; 1973, c. 426, s. 75; 1985, c. 665, ss. 1, 2; 1987, c. 364; 1989, c. 413; 2003-66, ss. 1, 2.)

#### **§ 160A-515. Eminent domain.**

The commission may exercise the right of eminent domain in accordance with the provisions of Chapter 40A, but only where the property to be taken is a blighted parcel. (1951, c. 1095, s. 12; 1965, c. 679, s. 3; c. 1132; 1967, c. 932, ss. 2, 3; 1973, c. 426, s. 75; 1981, c. 919, s. 30; 2006-224, s. 2.4; 2006-259, s. 47.)



**§ 160A-515.1. Project development financing.**

(a) Authorization. – A city may finance a redevelopment project and any related public improvements with the proceeds of project development financing debt instruments, issued pursuant to Article 6 of Chapter 159 of the General Statutes, together with any other revenues that are available to the city. Before it receives the approval of the Local Government Commission for issuance of project development financing debt instruments, the city's governing body must define a development financing district and adopt a development financing plan for the district. The city may act jointly with a county to finance a project, define a development financing district, and adopt a development financing plan for the district.

(b) Development Financing District. – A development financing district shall comprise all or portions of one or more redevelopment areas defined pursuant to this Article. The total land area within development financing districts in a city, including development financing districts created pursuant to G.S. 158-7.3, may not exceed five percent (5%) of the total land area of the city. For purposes of this section, land in a district created by a county that subsequently becomes part of a city does not count against the city's five-percent (5%) limit unless the city and the county have entered into an agreement pursuant to G.S. 159-107(e).

(c) Development Financing Plan. – The development financing plan must be compatible with the redevelopment plan or plans for the redevelopment area or areas included within the district. The development financing plan must include all of the following:

- (1) A description of the boundaries of the development financing district.
- (2) A description of the proposed development of the district, both public and private.
- (3) The costs of the proposed public activities.
- (4) The sources and amounts of funds to pay for the proposed public activities.
- (5) The base valuation of the development financing district.
- (6) The projected incremental valuation of the development financing district.
- (7) The estimated duration of the development financing district.
- (8) A description of how the proposed development of the district, both public and private, will benefit the residents and business owners of the district in terms of jobs, affordable housing, or services.
- (9) A description of the appropriate ameliorative activities which will be undertaken if the proposed projects have a negative impact on residents or business owners of the district in terms of jobs, affordable housing, services, or displacement.
- (10) A requirement that the initial users of any new manufacturing facilities that will be located in the district and that are included in the plan will comply with the wage requirements in subsection (d) of this section.

(d) Wage Requirements. – A development financing plan shall include a requirement that the initial users of a new manufacturing facility to be located in the district and included in the plan must pay its employees an average weekly manufacturing wage that is either above the average manufacturing wage paid in the county in which the district will be located or not less than ten percent (10%) above the average weekly manufacturing wage paid in the State. The plan may include information on the wages to be paid by the initial users of a new manufacturing facility to its employees and any provisions necessary to implement the wage



requirement. The issuing unit's governing body shall not adopt a plan until the Secretary of Commerce certifies that the Secretary has reviewed the average weekly manufacturing wage required by the plan to be paid to the employees of a new manufacturing facility and has found either (i) that the wages proposed by the initial users of a new manufacturing facility are in compliance with the amount required by this subsection or (ii) that the plan is exempt from the requirement of this subsection. The Secretary of Commerce may exempt a plan from the requirement of this subsection if the Secretary receives a resolution from the issuing unit's governing body requesting an exemption from the wage requirement and a letter from an appropriate State official, selected by the Secretary, finding that unemployment in the county in which the proposed district is to be located is especially severe. Upon the creation of the district, the unit of local government proposing the creation of the district shall take any lawful actions necessary to require compliance with the applicable wage requirement by the initial users of any new manufacturing facility included in the plan; however, failure to take such actions or obtain such compliance shall not affect the validity of any proceedings for the creation of the district, the existence of the district, or the validity of any debt instruments issued under Article 6 of Chapter 159 of the General Statutes. All findings and determinations made by the Secretary of Commerce under this subsection shall be binding and conclusive. For purposes of this section, the term "manufacturing facility" means any facility that is used in the manufacturing or production of tangible personal property, including the processing resulting in a change in the condition of the property.

(e) County Review. – Before adopting a plan for a development financing district, the city council shall send notice of the plan, by first-class mail, to the board of county commissioners of the county or counties in which the development financing district is located. The person mailing the notice shall certify that fact, and the date thereof, to the city council, and the certificate is conclusive in the absence of fraud. Unless the board of county commissioners (or either board, if the district is in two counties) by resolution disapproves the proposed plan within 28 days after the date the notice is mailed, the city council may proceed to adopt the plan.

(f) Environmental Review. – Before adopting a plan for development financing districts, the city council shall submit the plan to the Secretary of Environment and Natural Resources to review to determine if the construction and operation of any new manufacturing facility in the district will have a materially adverse effect on the environment and whether the company that will operate the facility has operated in substantial compliance with federal and State laws, regulations, and rules for the protection of the environment. If the Secretary finds that the new manufacturing facility will not have a materially adverse effect on the environment and that the company that will operate the facility has operated other facilities in compliance with environmental requirements, the Secretary shall approve the plan. In making the determination on environmental impact, the Secretary shall use the same criteria that apply to the determination under G.S. 159C-7 of whether an industrial project will have a materially adverse effect on the environment. The findings of the Secretary are conclusive and binding.

(g) Plan Adoption. – Before adopting a plan for a development financing district, the city council shall hold a public hearing on the plan. The council shall, no less than 30 days before the day of hearing, cause notice of the hearing to be mailed by first-class mail to all property owners and mailing addresses within the proposed development financing district. The council

shall also, no more than 30 days and no less than 14 days before the day of the hearing, cause notice of the hearing to be published once in a newspaper of general circulation in the city. The notice shall state the time and place of the hearing, shall specify its purpose, and shall state that a copy of the proposed plan is available for public inspection in the office of the city clerk. At the public hearing, the council shall hear anyone who wishes to speak with respect to the proposed district and proposed plan. Unless a board of county commissioners or the Secretary of Environment and Natural Resources has disapproved the plan pursuant to subsection (e) or (f) of this section, the council may adopt the plan, with or without amendment, at any time after the public hearing. However, the plan and the district do not become effective until the city's application to issue project development financing debt instruments has been approved by the Local Government Commission, pursuant to Article 6 of Chapter 159 of the General Statutes.

(h) Plan Modification. – Subject to the limitations of this subsection, a city council may, after the effective date of the district, amend a development financing plan adopted for a development financing district. Before making any amendment, the city council shall follow the procedures and meet the requirements of subsections (d) through (g) of this section. The boundaries of the district may be enlarged only during the first five years after the effective date of the district and only if the area to be added has been or is about to be developed and the development is primarily attributable to development that has occurred within the district, as certified by the Local Government Commission. The boundaries of the district may be reduced at any time, but the city may agree with the holders of any project development financing debt instruments to restrict its power to reduce district boundaries.

(i) Plan Implementation. – In implementing a development financing plan, a city may act directly, through a Redevelopment Commission, through one or more contracts with private agencies, or by any combination of these. A private agency that enters into a contract with a city for the implementation of a development financing plan is subject to the provisions of Article 8 of Chapter 143 of the General Statutes only to the extent specified in the contract. (2003-403, s. 18; 2005-238, s. 12; 2006-211, s. 4.)

#### **§ 160A-516. Issuance of bonds.**

(a) The commission shall have power to issue bonds from time to time for any of its corporate purposes including the payment of principal and interest upon any advances for surveys and plans for redevelopment projects. The commission shall also have power to issue refunding bonds for the purpose of paying or retiring or in exchange for bonds previously issued by it. The commission may issue such types of bonds as it may determine, including (without limiting the generality of the foregoing) bonds on which the principal and interest are payable:

- (1) Exclusively from the income, proceeds, and revenues of the redevelopment project financed with the proceeds of such bonds; or
- (2) Exclusively from the income, proceeds, and revenues of any of its redevelopment projects whether or not they are financed in whole or in part with the proceeds of such bonds; provided, that any such bonds may be additionally secured by a pledge of any loan, grant or contributions, or parts

thereof, from the federal government or other source, or a mortgage of any redevelopment project or projects of the commission.

(b) Neither the commissioners of a commission nor any person executing the bonds shall be liable personally on the bonds by reason of the issuance of the bonds. The bonds and other obligations of the commission (and the bonds and obligations shall so state on their face) shall not be a debt of the municipality, the county, or the State and neither the municipality, the county, nor the State shall be liable on the bonds, nor in any event shall the bonds or obligations be payable out of any funds or properties other than those of the commission acquired for the purpose of this Article. The bonds shall not constitute an indebtedness of the municipality within the meaning of any constitutional or statutory debt limitation or restriction. Bonds of a commission are declared to be issued for an essential public and governmental purpose and to be public instrumentalities. The bonds are exempt from all State, county, and municipal taxation or assessment, direct or indirect, general or special, whether imposed for the purpose of general revenue or otherwise, excluding inheritance and gift taxes, income taxes on the gain from the transfer of the bonds and notes, and franchise taxes. The interest on the bonds is not subject to taxation as income. Bonds may be issued by a commission under this Article notwithstanding any debt or other limitation prescribed in any statute. This Article without reference to other statutes of the State shall constitute full and complete authority for the authorization and issuance of bonds by the commission under this Article and this authorization and issuance shall not be subject to any conditions, restrictions, or limitations imposed by any other statute whether general, special, or local, except as provided in subsection (d) of this section.

(c) Bonds of the commission shall be authorized by its resolution and may be issued in one or more series and shall bear such date or dates, be payable upon demand or mature at such time or times, bear interest at such rate or rates, be in such denomination or denominations, be in such form either coupon or registered, carry such conversion or registration privileges, have such rank or priority, be executed in such manner, be payable in such medium of payment, at such place or places, and be subject to such terms of redemption (with or without premium) as such resolution, its trust indenture or mortgage may provide.

(d) Bonds shall be sold by the Redevelopment Commission at either public or private sale upon such terms and in such manner, consistent with the provisions hereof, as the Redevelopment Commission may determine. Prior to the public sale of bonds hereunder, the Redevelopment Commission shall first cause a notice of the sale of the bonds to be published at least once at least 10 days before the date fixed for the receipt of bids for the bonds (i) in a newspaper having the largest or next largest circulation in the Redevelopment Commission's area of operation and (ii) in a publication that carries advertisements for the sale of State and municipal bonds published in the City of New York in the State of New York; provided, however, that in its discretion the Redevelopment Commission may cause any such notice of sale in the New York publication to be published as part of a consolidated notice of sale offering for sale the obligations of other public agencies in addition to the Redevelopment Commission's bonds, and provided, further, that any bonds may be sold by the Redevelopment Commission at private sale upon such terms and conditions as are mutually agreed upon between the commission and the purchaser. No bonds issued pursuant to this Article shall be sold at less

than par and accrued interest. The provisions of the Local Government Finance Act shall not be applicable with respect to bonds sold or issued under this Article.

(e) In case any of the commissioners or officers of the commission whose signatures appear on any bonds or coupons shall cease to be such commissioners or officers before the delivery of such bonds, such signatures shall, nevertheless, be valid and sufficient for all purposes, the same as if such commissioners or officers had remained in office until such delivery. Any provisions of any law to the contrary notwithstanding, any bonds issued pursuant to this Article shall be fully negotiable.

(f) In any suit, action or proceedings involving the validity or enforceability of any bond of the commission or the security therefor, any such bond reciting in substance that it has been issued by the commission to aid in financing a redevelopment project, as herein defined, shall be conclusively deemed to have been issued for such purpose and such project shall be conclusively deemed to have been planned, located and carried out in accordance with the purposes and provisions of this Article.

(g) Bonds (including, without limitation, interim and long-term notes) may be issued or sold under this Article at private sale upon such terms and conditions as may be negotiated and mutually agreed upon by the commission and the purchaser (who may be the government or other public or private lender or purchaser). (1951, c. 1095, s. 13; 1961, c. 837, s. 10; 1971, c. 87, s. 3; 1973, c. 426, s. 75; 1981, c. 907, ss. 3, 4; 1995, c. 46, s. 20.)

**§ 160A-517. Powers in connection with issuance of bonds.**

(a) In connection with the issuance of bonds or the incurring of obligations and in order to secure the payment of such bonds or obligations, the commission, in addition to its other powers, shall have power:

- (1) To pledge all or any part of its gross or net rents, fees or revenues to which its right then exists or may thereafter come into existence;
- (2) To mortgage all or any part of its real or personal property, then owned or thereafter acquired;
- (3) To covenant against pledging all or any part of its rents, fees and revenues, or against mortgaging all or any part of its real or personal property, to which its right or title then exists or may thereafter come into existence or against permitting or suffering any lien on such revenues or property; to covenant with respect to limitations on its right to sell, lease or otherwise dispose of any redevelopment project or any part thereof; and to covenant as to what other, or additional debts or obligations may be incurred by it;
- (4) To covenant as to the bonds to be issued and as to the issuance of such bonds in escrow or otherwise, and as to the use and disposition of the proceeds thereof; to provide for the replacement of lost, destroyed or mutilated bonds, to covenant against extending the time for the payment of its bonds or interest thereon; and to covenant for the redemption of the bonds and to provide the terms and conditions thereof;
- (5) To covenant (subject to the limitations contained in this Article) as to the amount of revenues to be raised each year or other period of time by rents,

fees and other revenues, and as to the use and disposition to be made thereof; to create or to authorize the creation of special funds for moneys held for operating costs, debt service, reserves, or other purposes, and to covenant as to the use and disposition of the moneys held in such funds;

- (6) To prescribe the procedure, if any, by which the terms of any contract with bondholders may be amended or abrogated, the amount of bonds the holders of which must consent thereto and the manner in which such consent may be given;
- (7) To covenant as to the use, maintenance and replacement of any of or all of its real or personal property, the insurance to be carried thereon and the use and disposition of insurance moneys, and to warrant its title to such property;
- (8) To covenant as to the rights, liabilities, powers and duties arising upon the breach by it of any covenants, conditions or obligations; and to covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds or obligations shall become or may be declared due before maturity and as to the terms and conditions upon which such declaration and its consequences may be waived;
- (9) To vest in any obligees of the commissions the right to enforce the payment of the bonds or any covenants securing or relating to the bonds; to vest in any obligee or obligees holding a specified amount in bonds the right, in the event of a default to take possession of and use, operate and manage any redevelopment project or any part thereof, title to which is in the commission, or any funds connected therewith, and to collect the rents and revenues arising therefrom and to dispose of such moneys in accordance with the agreement with such obligees; to provide for the powers and duties of such obligees and to limit the liabilities thereof, and to provide the terms and conditions upon which such obligees may enforce any covenant or rights securing or relating to the bonds; and
- (10) To exercise all or any part or combination of the powers herein granted; to make such covenants (other than and in addition to the covenants herein expressly authorized) and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or, in the absolute discretion of said commission, as will tend to make the bonds more marketable notwithstanding that such covenants, acts or things may not be enumerated herein.

(b) The commission shall have power by its resolution, trust indenture, mortgage lease or other contract to confer upon any obligee holding or representing a specified amount in bonds, the right (in addition to all rights that may otherwise be conferred), upon the happening of an event of default as defined in such resolution or instrument, by suit, action or proceeding in any court of competent jurisdiction:

- (1) To cause possession of any redevelopment project or any part thereof title to which is in the commission, to be surrendered to any such obligee;

- (2) To obtain the appointment of a receiver of any redevelopment project of said commission or any part thereof, title to which is in the commission and of the rents and profits therefrom. If such receiver be appointed, he may enter and take possession of, carry out, operate and maintain such project or any part therefrom and collect and receive all fees, rents, revenues, or other charges thereafter arising therefrom, and shall keep such moneys in a separate account or accounts and apply the same in accordance with the obligations of said commission as the court shall direct; and
- (3) To require said commission and the commissioners, officers, agents and employees thereof to account as if it and they were the trustees of an express trust. (1951, c. 1095, s. 14; 1973, c. 426, s. 75.)

**§ 160A-518. Right of obligee.**

An obligee of the commission shall have the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

- (1) By mandamus, suit, action or proceeding at law or in equity to compel said commission and the commissioners, officers, agents or employees thereof to perform each and every term, provision and covenant contained in any contract of said commission with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of said commission and the fulfillment of all duties imposed upon said commission by this Article; and
- (2) By suit, action or proceeding in equity, to enjoin any acts or things which may be unlawful, or the violation of any of the rights of such obligee of said commission. (1951, c. 1095, s. 15; 1973, c. 426, s. 75.)

**§ 160A-519. Cooperation by public bodies.**

(a) For the purpose of aiding and cooperating in the planning, undertaking or carrying out of a redevelopment project located within the area in which it is authorized to act, any public body may, upon such terms, with or without consideration, as it may determine:

- (1) Dedicate, sell, convey or lease any of its interest in any property, or grant easements, licenses or any other rights or privileges therein to a commission;
- (2) Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works which it is otherwise empowered to undertake, to be furnished in connection with a redevelopment project;
- (3) Furnish, dedicate, close, vacate, pave, install, grade, regrade, plan or replan streets, roads, sidewalks, ways or other places, which it is otherwise empowered to undertake;
- (4) Plan or replan, zone or rezone any part of the redevelopment;

- (5) Cause administrative and other services to be furnished to the commission of the character which the public body is otherwise empowered to undertake or furnish for the same or other purposes;
- (6) Incur the entire expense of any public improvements made by such public body in exercising the powers granted in this section;
- (7) Do any and all things necessary or convenient to aid and cooperate in the planning or carrying out of a redevelopment plan.

(b) Any sale, conveyance, or agreement provided for in this section may be made by a public body without public notice, advertisement or public bidding. (1951, c. 1095, s. 16; 1973, c. 426, s. 75.)

**§ 160A-520. Grant of funds by community.**

Any municipality located within the area of operation of a commission may appropriate funds to a commission for the purpose of aiding such commission in carrying out any of its powers and functions under this Article. To obtain funds for this purpose, the municipality may levy taxes and may in the manner prescribed by law issue and sell its bonds. (1951, c. 1095, s. 17; 1973, c. 426, s. 75.)

**§ 160A-521. Records and reports.**

(a) The books and records of a commission shall at all times be open and subject to inspection by the public.

(b) A copy of all bylaws and rules and regulations and amendments thereto adopted by it, from time to time, shall be filed with the city clerk and shall be open for public inspection.

(c) At least once each year a report of its activities for the preceding year and such other reports as may be required shall be made. Copies of such reports shall be filed with the mayor and governing body of the municipality. (1951, c. 1095, s. 18; 1973, c. 426, s. 75.)

**§ 160A-522. Title of purchaser.**

Any instrument executed by a commission and purporting to convey any right, title or interest in any property under this Article shall be conclusive evidence of compliance with the provisions of this Article insofar as title or other interest of any bona fide purchasers, lessees or transferees of such property is concerned. (1951, c. 1095, s. 19; 1973, c. 426, s. 75.)

**§ 160A-523. Preparation of general plan by local governing body.**

The governing body of any municipality or county, which is not otherwise authorized to create a planning commission with power to prepare a general plan for the development of the community, is hereby authorized and empowered to prepare such a general plan prior to the initiation and carrying out of a redevelopment project under this Article. (1951, c. 1095, s. 20; 1973, c. 426, s. 75.)



**§ 160A-524. Inconsistent provisions.**

Insofar as the provisions of this Article are inconsistent with the provisions of any other law, the provisions of this Article shall be controlling. (1951, c. 1095, s. 22; 1955, c. 1349; 1957, c. 502, s. 4; 1973, c. 426, s. 75.)

**§ 160A-525. Certain actions and proceedings validated.**

All proceedings, resolutions, ordinances, motions, notices, findings, determinations, and other actions of Redevelopment Commissions, incorporated cities and towns, governing bodies, and planning boards and commissions, had and taken prior to January 1, 1965, pursuant to or purporting to comply with the Urban Redevelopment Law (G.S. 160A-500 to 160A-526) and incident to the creation and organization of Redevelopment Commissions and appointment of members thereof, designation of redevelopment and project areas, findings and determinations respecting conditions in redevelopment and project areas, preparation, development, review, processing and approval of urban redevelopment projects and plans, including redevelopment plans, calling and holding of public hearings, and the time and manner of giving and publishing notices thereof, are hereby in all respects legalized, ratified, approved, validated and confirmed, and all such actions are declared to be valid and lawfully authorized; provided, however, that no such action shall be legalized, ratified, approved, validated or confirmed, under this section if they appertain to any redevelopment or project area, the acquisition or taking of any property in any such area, any urban redevelopment project or any redevelopment plan respecting which any decree or judgment has been rendered by the Supreme Court of North Carolina prior to May 25, 1965. (1963, c. 194; 1965, c. 680; 1973, c. 426, s. 75.)

**§ 160A-526. Contracts and agreements validated.**

All contracts or agreements of Redevelopment Commissions heretofore entered into with the federal government or its agencies, and with municipalities or others relating to financial assistance for redevelopment projects in which it was required that loans or advances shall bear an interest rate in excess of six per centum (6%) per annum, or in which a municipality or others had agreed to pay funds equal to the interest in excess of six per centum (6%) per annum are hereby validated, ratified, confirmed, approved and declared legal with respect to the payment of interest in excess of six per centum (6%), and all things done or performed in reference thereto. The Redevelopment Commissions are hereby authorized to assume the full obligation of the municipalities under the contracts or agreements with reference to interest in excess of six per centum (6%), and to reimburse any municipality which has made any interest payment under such contracts or agreements. (1971, c. 87, s. 4; 1973, c. 426, s. 75.)

**§§ 160A-527 through 160A-534. Reserved for future codification purposes.**



# **Raper Roark Trust Fund**

## **Shelby, NC**

RESOLUTION NO. 64-98

A RESOLUTION APPROVING AN AGREEMENT FOR THE PURPOSE OF  
ESTABLISHING THE "RAPER/ROARK TRUST FUND"

WHEREAS, former Mayor Les Roark and City Councilman Sam Raper have offered to establish a trust fund, in cooperation with the City of Shelby, for the purpose of insuring the availability of funds for beautification and appearance initiatives in the uptown historic district of the City; and,

WHEREAS, it is proposed that the "Raper/Roark Trust Fund" be established and held in perpetuity by the City for use of interest only from this fund with the corpus to remain at all times untouched; and,

WHEREAS, pursuant to Resolution No. 49-98 City Council instructed that the necessary document(s) required to establish said trust be prepared, and the City Attorney has subsequently presented to City Council an agreement offered for said purpose;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SHELBY, NORTH CAROLINA:

Section 1. The Agreement between Samuel A. Raper and Lester D. Roark, both of Shelby, North Carolina and the City of Shelby establishing the "Raper/Roark Trust Fund" for the purpose of endowing moneys for use in beautification and appearance initiatives in the City's uptown historic district is hereby accepted and approved.


Section 2. The Mayor and City Clerk are hereby authorized and directed to execute the agreement specified in Section 1 of this resolution on behalf of the City of Shelby, and the City Manager is likewise authorized and directed to implement the provisions of said agreement.

Section 3. This resolution shall become effective upon its adoption and approval.

Adopted and Approved this the 7<sup>th</sup> day of December 1998.



ATTEST:

  
Michael D. Philbeck  
Mayor

**Place holder – Raper Roark resolution**

**Place holder – Raper Roark resolution**

# Grant Applications

## **Place holder – grant applications**

## **Place holder – grant applications**

## **Place holder – grant applications**



## **Place holder – grant applications**

# Community Assisted Business Funding

## Claire's Restaurant – A Community Supported Success Story

Posted on [May 27, 2009](#) | [8 Comments](#)

Last night, my wife and I joined Vermont's Central and Northeast Kingdom communities in celebrating the first anniversary of [Claire's Restaurant](#) in Hardwick, VT, a place that quickly



established itself as a “must stop” experience for those in the area.

Claire's was founded in May 2008, after four years of effort by its four co-founders. The restaurant employed a community supported business model to raise the necessary capital – 50 community members invested \$1,000 each in exchange for restaurant credits. This intimate connection to the community has proven a better-than-expected success, as one of Claire's owners indicated last night that during its first year it achieved patron numbers projected for its fourth year – nearly every day. Why?

In addition to its beautiful space and wonderful staff, probably the biggest reason is Claire's chef, Steven Obranovich, who spends time nearly every day talking to local farmers and processors about what's available, what's in peak, etc., and then adapted his menu to accommodate those local products. The Claire's web site describes his task as follows:

*From his kitchen on Main Street, our chef plans his menu every day after talking with farmers. Steven is looking for local ingredients at their peak... nourished on the soil and water of Vermont. From there, he begins a journey that might take him down the road to a cheese maker or baker. He considers how the weather has flavored this season's produce, what local herbs or spices from far away might best bring out that uniqueness, and which cooking techniques are most suitable.*

It's working. Earlier this year, Claire's announced (proudly) it had purchased between 70-80 percent of its food from within the Hardwick and surrounding communities. Considering the restaurant is located in Vermont's Northeast Kingdom (translated: cold), this is saying a lot.

*During our first summer, keeping up with the rush of business, nearly 70 percent of every dollar spent for the food on Steven's menu went to farms in our community. The majority of those are within 15 miles, and just a few are farther afield in the Northeast Kingdom. Most impressive were the results for our first winter of operations. During the coldest days from January through March, Steven highlighted our winter bounty so that we increased our purchases to 79 percent directly from farmers and artisans in our communities.*

By supporting local businesses, Claire's and its customers are continually increasing demand for local products, which in turn keeps money circulating in the local economy longer. Everyone is winning.

And the food is spectacular! Claire's was recently awarded the Editor's Choice Award from Yankee Magazine for the [Best Community Concept](#), as well as a spot on Conde Nast Traveler Magazine's [Hot Tables](#) list.

**Related Links:**

- [Community Supported Restaurant](#) – article in Touch the Soil magazine
- [Vermont Farm to Table Pioneers](#) – blog post by Zachary Cohen
- [New Vermont Cooking](#) – Claire's food and community blog
- Follow me on Twitter: [Jambutter](#)

## **Market Analysis Reports**